



## **AIR POLLUTION CONTROL DISTRICT**

### **NEGATIVE DECLARATION**

**PROJECT PROPONENT:** Imperial County Air Pollution Control District

**ADDRESS/LOCATION:** 150 S. Ninth Street, El Centro, CA 92243

**CONTACT PERSON:** Monica N. Soucier, APC Division Manager

**PROJECT NAME:** 2009 Particulate Matter Less Than 10 Microns State Implementation Plan (2009 PM<sub>10</sub> SIP)

#### **PROJECT DESCRIPTION:**

The 2009 PM<sub>10</sub> SIP was developed to meet the requirements of the federal Clean Air Act (CAA) for areas classified as "serious" non-attainment of the National Ambient Air Quality Standards (NAAQS) for PM<sub>10</sub>. PM<sub>10</sub> is measured and expressed as the amount of particles of 10 microns ( $\mu\text{m}$ ) in diameter or less contained in a cubic meter of air ( $\mu\text{g}/\text{m}^3$ ). Using sound science, the 2009 PM<sub>10</sub> SIP demonstrates that Imperial County would have attained the NAAQS "but for" emissions resulting from international transport, Mexicali, Mexico.

#### **PROJECT LOCATION:**

The 2009 PM<sub>10</sub> SIP applies to PM<sub>10</sub> emission sources located within Imperial County. Imperial County extends over 4,597 square miles within the southeastern portion of California, bordering Mexico to the south, Riverside County to the north, San Diego County to the west and the State of Arizona to the east. The terrain elevation varies from as low as 230 feet below sea level at the Salton Sea to the north to more than 2,800 feet above sea level at the mountain summits to the west. The climate is desert type with hot summers and mild winters, gusty winds frequently occurring during the months of April and May with very little rainfall. The combination of the flat terrain of the valley and the strong temperature differentials, created by intense solar heating, produce moderate winds and deep thermal convection. It is not uncommon to see temperatures above 110° during the month of August.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):**

The 2009 PM<sub>10</sub> SIP is a "project" as defined by the CEQA. Under CEQA a lead agency has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment. Since the SIP imposes the greatest

discretionary authority of approval upon the ICAPCD it is therefore the lead agency for this project.

As part of the review process the ICAPCD examined the 2009 PM<sub>10</sub> SIP for applicability to CEQA. As directed by section 21084 of the Public Resources Code the Secretary for Resources identified a list of projects determined not to have a significant effect on the environment and which by their very nature are therefore exempt from the provisions of CEQA. Because the 2009 PM<sub>10</sub> SIP does not propose or impose any new regulation and in fact demonstrates attainment of the NAAQS but for emissions from an international source a Class 8 categorical exemption applies. A class 8 exemption describes those actions by regulatory agencies which assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for the protection of the environment. However, in order to provide for optimum public participation and involvement the ICAPCD has opted not to utilize the exemption and instead provide an additional resource for the identification of any potential environmental impacts associated with the 2009 PM<sub>10</sub> SIP.

Thus, in order to fulfill the purpose and intent of CEQA the ICAPCD prepared an Initial Study to address any potential environmental impacts associated with the 2009 PM<sub>10</sub> SIP.

#### **STATEMENT OF THE PROBLEM:**

Aside from the populated and agricultural lands, Imperial County is surrounded by dry, barren desert lands. According to the emission inventory estimate the majority of PM<sub>10</sub> emissions impacting Imperial County originate from natural, non-anthropogenic sources. It is estimated that during high winds these barren desert areas can produce PM<sub>10</sub> emissions over 50 times more than emissions from any anthropogenic source. While these emissions are significant in that they account for greater than 55% of the average daily emissions there is another source from which significant amounts of PM<sub>10</sub> originate.

Imperial County is also bordered to the south by a densely populated city, Mexicali, Mexico. The neighboring international city, Mexicali, is significantly larger than its sister city the City of Calexico. The emissions estimate for Mexicali is approximately 257 tons/day of PM<sub>10</sub> while the City of Calexico is estimated at approximately 13 tons/day. Studies indicate that under stagnant and light wind conditions, elevated dust concentrations in Mexicali drift across the border into Calexico. Although emissions of PM<sub>10</sub> from the disturbance of the soils by wind and human activity and the transport of PM<sub>10</sub> from Mexico are not the sole contributors they are the primary causes for elevated PM<sub>10</sub> emissions in Imperial County.

#### **REGULATORY BACKGROUND:**

On August 11, 2004, in response to an order from the Ninth Circuit District Court, the EPA reclassified the Imperial Valley Planning Area (Imperial County, including the

Quechan and Torrez-Martinez Tribes) from a "moderate" non-attainment area to a "Serious" non-attainment area. Highly aware of the consequences of such a reclassification the ICAPCD created a Technical Advisory Committee (TAC) to address the issues resulting from the reclassification. The TAC included technical and nontechnical representatives from the state, County and local government agencies, a variety of industry groups such as the Farm Bureau, the Coalition of Labor and Business (COLAB) and the Building Industry Association (BIA).

Together the TAC proactively began to work in identifying and subsequently recommending measures to reduce PM<sub>10</sub> emissions throughout the Imperial County. The TAC targeted their efforts at bringing the Imperial Valley Planning Area (IVPA) into compliance with the federal NAAQS. The development of the TAC and the research efforts by the TAC all occurred prior to any final finding by the EPA that the IVPA failed to attain the federal NAAQS. These efforts resulted in the adoption and implementation of the amendments to Regulation VIII addressing Best Available Control Measures (BACM) IN 2005.

Two years later, on December 11, 2007 the EPA finalized its finding that the IVPA had not attained the federal NAAQS by December 31, 2001 requiring the State of California to submit a revision to the California SIP requiring attainment and at least 5% annual reductions in PM<sub>10</sub> and PM<sub>10</sub> precursor emissions as required by the CAA section 189(d). As a result of the proactive efforts by the Air District, back in 2004, this SIP now satisfies all requirements imposed upon "serious" PM<sub>10</sub> non-attainment areas as specified by the EPA. EPA guidance states that a determination of compliance with the NAAQS must be based on three complete, consecutive calendar years of quality-assured air quality monitoring data. This SIP demonstrates that air quality monitored data for 2006 thru 2008 demonstrates that the IVPA would have been in attainment of the 24-hour PM<sub>10</sub> NAAQS "but-for" international emissions emanating from Mexico.

#### **PLAN DESCRIPTION:**

Under Title I of the CAA, EPA sets limits on how much of a particular pollutant can be present in the air for any given location within the United States. EPA, states, and local governments are required under the CAA to implement measures to prevent and control air pollution, with significant responsibility resting with the states. The major mechanism used to attain the standards is the SIP.

The 2009 PM<sub>10</sub> SIP carries forward, addresses and meets the elements required under the CAA for areas classified as "serious" non-attainment of the NAAQS. The elements of the plan are as follows:

- Air Quality Data analysis for the years 2006 thru 2008 including exceptional events
- An updated emissions inventory
- A determination of significant sources of PM10 and classification
- Best available control strategies along with an impact analysis

- An attainment demonstration
- Contingency measures and transportation conformity
- Salton Sea considerations