

February 22, 2022

Ryan Hayashi  
San Joaquin Valley Air Pollution Control District  
1990 East Gettysburg  
Fresno, California 93726

RE: AB 617 Steering Committee – Land Use Subcommittee

Dear Mr. Hayashi:

The City of Fresno continues to be committed to consultation and coordination with the San Joaquin Valley Air Pollution Control District. Over the past several years, the two agencies have enhanced and expanded communication protocols resulting in effective coordination on hundreds of projects each year. These efforts help ensure that projects in preliminary stages have earlier opportunities for input on air quality impacts, measures to reduce potential impacts, and those that have been approved are evaluated for compliance and monitoring. This more robust process includes regular staff coordination meetings and additional routing for comment procedures. It is our desire to document this process through this letter.

#### Coordinating with the Air District

City and Air District staff meet monthly to discuss projects located within the City, including those within the AB 617 boundary. These meetings include a discussion of applications and general routing procedures for projects within the AB617 boundary and throughout the City.

Types of procedures and coordination discussed include:

- Potential projects within the AB 617 boundary
- Applications and Air District reviews
- Status of current projects
- Infrastructure projects within AB 617 area being constructed by the City
- Discuss any upcoming projects with the City that will be submitted for Air District

review

### Applications to the Air District

Within the AB617 boundary, all minor applications will be routed to the Air District. These applications include Tenant Improvement (building permit within existing space), Zoning Clearance (confirmation that a use is permitted), Minor Deviations (adjustments to height or setback less than +/-10% of requirement), Minor Revised Exhibits (slight changes to site plan), Industrial Site Plan Review (site plan consistent with original findings), and (stand-alone) Environmental Assessments (Negative Declaration or Exemption).

For major applications, all applications will be routed to the Air District regardless of location. These applications include Amendments to existing projects, New Site Plan Review (establishing a new physical improvement), New Conditional Use Permits (establishing a new conditionally permitted use), New Tentative or Tract Maps (subdividing a property consistent with the Map Act), (stand-alone) Environmental Assessment (Mitigated Negative Declaration or EIR), Rezone (a change to the zone district), General Plan Amendment (a change to the base land use), Annexation (adding a property to the City limits), or Amendment to Development Code Text (a modification to the rules of development). Once a project is routed, several steps and deadlines must be met; projects are discussed during monthly coordination meetings.

#### During Review

- 15 day comment period to review projects
- If an Initial Study (IS) is part of the project, Air District comments are incorporated
- Once the Initial Study is released it is sent to the Air District during public review period and staff coordinates if they have comments

#### After Review

- If there was an Initial Study and there are mitigation measures related to Air Quality, staff may reach out to the Air District if needed to verify compliance or ask for clarification on certain rules. Typically, compliance documentation is requested from the applicant and then verified with the Air District.
- If there isn't an Initial Study, there typically is no compliance review after conditions are issued.

To further enhance the public notification process to the AB 617 Steering Committee members for City project applications in the AB 617 boundary, the City is committed to working to implement a flagging system which will alert the Air District that a particular project lies within the AB 617 boundary. This will assist the Air District in sending the City project applications to AB 617 committee members.

The City of Fresno offers residents a variety of opportunities to provide input on land use planning and development matters occurring in the City through participation in standing committees such as District Review Committees and Specific Plan Implementation Committees, as well as ad hoc committees such as the General Plan Implementation Review Committee, and similar.

The Steering Committee is permitted to comment on all land use matters in the City in the same manner as any other members of the public, non-profit organizations, or other non-governmental entities. This is an important role that is separate from the responsible-agency role, and that allows members of the AB617 Steering Committee to submit letters to the Planning Commission, and Steering Committee members may attend Planning Committee meetings to submit written and oral comments on the record. The City Council may consider these comments in the same manner as any other public comments received.

The City of Fresno has welcomed and has encouraged robust and active participation from our residents and our responsible-agency partners to review and discuss land use planning and development matters that occur throughout the City. Within the City, and pursuant to the City's Charter in sections 906 and 907 established the Planning Commission was established as the City's clearinghouse.

The Planning Commission is comprised of residents of the City of Fresno, to consider and make decisions on land use entitlements and hold public hearings and make recommendations to the City Council. There are seven members of the Planning Commission appointed by the Mayor and confirmed by the City Council. In some cases, the City Council also holds public hearings land use issues received from the Planning Commission or can appeal recommendations in their council district to be heard by the City Council in certain cases.

The City remains committed to engaging with the public, including the AB617 Steering Committee and our responsible-agency partners, to review and discuss land use planning and development matters that occur throughout the City.

Sincerely,

Georgeanne A. White  
City Manager