



AGENDA

HUGHSON CITY COUNCIL

City of Hughson
CITY COUNCIL MEETING
Hughson City Hall – 7018 Pine Street Hughson, California
MONDAY, APRIL 8, 2024 – 6:00 P.M.

How to participate in, or observe the Meeting:

- In person in the City Council Chambers and submit public comment when invited during the meeting.
- **Observe only** via YouTube live, by accessing this link:
https://www.youtube.com/channel/UC-PwkdIrKoMmOJDzBSodu6A?view_as=subscriber

If a technical issue arises with any streaming option, the City Council meeting will continue unless the meeting is being held pursuant to the provisions of Assembly Bill 2449.

- In addition, recorded City Council meetings are posted on the City's website the second business day following the meeting. Recorded videos can be accessed with the following link:
[Upcoming Meetings | Hughson CA](#)

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

CALL TO ORDER: Mayor Pro Tem Randy Crooker

ROLL CALL: Mayor George Carr
Mayor Pro Tem Randy Crooker
Councilmember Samuel Rush
Councilmember Julie Ann Strain
Councilmember Alan McFadon

FLAG SALUTE: Mayor Pro Tem Randy Crooker

INVOCATION: Hughson Ministerial Association

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Please limit presentations to five minutes. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Council addresses the matter. Pursuant to California Government Code Section 54954.2(a)(3), no action or discussion may be undertaken on any item not appearing on the posted agenda, except that the City Council, or its staff, may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda.

2. PRESENTATIONS:

2.1: Proclaim April 21-27, 2024, as Administrative Professionals Week.

3. CONSENT CALENDAR:

All items listed on the Consent Calendar are to be acted upon by a single action of the City Council unless otherwise requested by an audience member, or individual Councilmember for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

3.1: Approval of the Minutes of the Regular Meeting of March 25, 2024.

3.2: Approval of the Warrants Register.

4. UNFINISHED BUSINESS: NONE.

5. PUBLIC HEARING: NONE.

6. NEW BUSINESS:

6.1: Adoption of Ordinance No. 2024-01, an Urgency Ordinance of The City of Hughson Imposing a Moratorium on All New Smoking Lounges and Smoke Shops Within the City of Hughson.

6.2: Adoption of Resolution No. 2024-10, Approving a Professional Services Agreement with Willdan Financial Services.

7. CORRESPONDENCE:

7.1: Annual Air Toxics Report for 2023.

8. COMMENTS:

A brief report on notable attendance of a meeting, or conference, or other notable topics of City business shall be made. The Brown Act does not allow for discussion or action of items by the City Council during this time.

8.1: Staff Reports and Comments:

City Clerk
Director of Finance
Community Development Director
Police Services
City Attorney

8.2: Council Comments:**9. ADJOURNMENT:**

The next City Council meeting is scheduled for April 22, 2024, at 6:00 pm.

<u>AFFIDAVIT OF POSTING</u>	
Date: April 5, 2024	Time: 2:00 PM
Name: Ashton Gose	Title: City Clerk

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the office of the City Clerk at Hughson City Hall during normal business hours. If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on the agenda.

Notice Regarding Non-English Speakers:

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson City Council shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

UPCOMING EVENTS:

April 9	▪ City/Fire 2+2 Committee Meeting, Hughson Fire District Office, 5:30 PM
April 10	▪ Hughson has Heart Planning Meeting, City Council Chambers, 6:00PM
April 16	▪ Planning Commission Meeting, City Council Chambers, 6:00PM
April 17	▪ Hughson has Heart Planning Meeting, City Council Chambers, 6:00PM
April 20-21	▪ City-Wide Yard Sale



CITY COUNCIL AGENDA ITEM NO. 2.1

SECTION 2: PRESENTATIONS

Meeting Date: April 8, 2024
Subject: Proclaim April 21-27, 2024, as Administrative Professionals Week
Presented By: Ashton Gose, City Clerk

Staff Recommendation:

Proclaim April 21-27, 2024, as Administrative Professionals Week in the City of Hughson.

Background and Overview:

Administrative Professionals Week is celebrated each April to honor and recognize administrative professionals: receptionists, secretaries, administrative assistants, executive assistants, customer support, and office support staff. Administrative Professionals play an essential role in coordinating the office operations of businesses, government, educational institutions, and other organizations.

Administrative Professionals are vital contributors in today's team-oriented work environment and are key front-line public relations ambassadors for their organizations.

The City of Hughson Administrative staff includes employees Danielle Perez, Andraya Plascencia, and Fabian Ramos.

Recognition and appreciation of the City's administrative staff is scheduled for Administrative Professionals Day on Wednesday, April 24, 2024.

Fiscal Impact:

Costs associated with the recognition of the City of Hughson Administrative staff will be covered with the approved budget for the City Employee Appreciation and Recognition Program.

===== CITY OF HUGHSON =====

Proclamation

National Administrative Professionals Week April 21-27, 2024

WHEREAS, administrative professionals play an essential role in coordinating the office operations of businesses, government, educational institutions, and other organizations; and

WHEREAS, administrative professionals are vital contributors in today's team- oriented work environment and are key front-line public relations ambassadors for their organizations; and

WHEREAS, the work of administrative professionals today requires advanced knowledge and expertise in communications, computer software, office technology, project management, organization, customer service and other vital office management responsibilities, and most importantly, have the willingness to learn and accept new challenges; and

WHEREAS, Administrative Professionals Week is observed annually in workplaces around the world to recognize the important contributions of administrative support staff and is sponsored by the International Association of Administrative Professionals; and;

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and City Council that we recognize and extend appreciation to our dedicated and skilled staff and hereby proclaim April 21-27, 2024, as “National Administrative Professionals Week”.

AND BE IT FURTHER PROCLAIMED that the Hughson City Council does hereby recognize the outstanding service that the City Administrative staff provides to the citizens of the City of Hughson.

RANDY CROOKER
MAYOR PRO TEM OF THE CITY OF HUGHSON
APRIL 8, 2024





CITY COUNCIL AGENDA ITEM NO. 3.1 SECTION 3: CONSENT CALENDAR

Meeting Date: April 8, 2024
Subject: Approval of the City Council Minutes
Presented By: Ashton Gose, Executive Assistant/City Clerk

Staff Recommendation:

Approve the Minutes of the regular Meeting of March 25, 2024.



HUGHSON CITY COUNCIL

MINUTES

**City of Hughson
REGULAR CITY COUNCIL MEETING
Hughson City Hall – 7018 Pine Street
Hughson, California
MONDAY, MARCH 25, 2024 – 6:00 P.M.**

CALL TO ORDER:

Mayor Pro Tem Randy Crooker

ROLL CALL:

Present:

Mayor Pro Tem Randy Crooker
Councilmember Julie Ann Strain
Councilmember Alan McFadon

Absent:

Mayor George Carr
Councilmember Samuel Rush

Staff Present:

Ashton Gose, City Clerk
Andy Pinasco, City Attorney
Tom Terpstra, Deputy City Attorney
Carla Jauregui, Community Development Director
Kim Weimer, Director of Finance and Admin Services
Jose Vasquez, Public Works Superintendent
Sarah Chavarin, Accounting Manager

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Taken):

NONE.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR:

- 3.1:** Approval of the Minutes of the Regular Meeting of February 26, 2024.
- 3.2:** Approval of the Warrants Register.
- 3.3:** Adopt Resolution No. 2024-07, Making Signatory Changes to the City of Hughson Bank Accounts at BMO.
- 3.4:** Accept the Donation of a Refrigerator, Freezer, Removal of a Sink, and the Purchase and Installation of Metal Cabinets and Shelving, Valued at \$5,300.00, by Hughson Youth Baseball and Softball for the Concession Stand at Lebright Fields; and Approve the Donation Agreement.
- 3.5:** Approval of Waiving the Fees Pertaining to the Use of Rolland Starn Park (Keith Crabtree Field) for Hughson Youth Baseball and Softball for the 2024 Regular Season.
- 3.6:** Appointment of One Candidate to the Parks, Recreation, and Entertainment Commission.
- 3.7:** Adopt Resolution No. 2024-08, Accepting the 2023 Annual General Plan Report and the 2023 Annual Housing Element Progress Report.
- 3.8:** Approval of the Request by the Hughson Chamber of Commerce to Hold a Public Event and Sell Alcohol at the 2024 Hughson Fruit and Nut Festival Event.

CROOKER/STRAIN 3-0-0-2 motion passes to approve the Consent Calendar as presented, with the following roll call vote:

CROOKER	RUSH	STRAIN	McFADON	CARR
AYE	ABSENT	AYE	AYE	ABSENT

4. UNFINISHED BUSINESS:

- 4.1:** Adopt Resolution No. 2024-09, Accepting the Well 7 Replacement Project Phase IV Improvements and Authorizing the City Clerk to File a Notice of Completion.

Cort Abney, the contracted City Water Engineer, presented the staff report on this item.

Mayor Pro Tem Crooker opened public comment at 6:14PM. There was no public comment. Mayor Pro Tem Crooker closed public comment at 6:14PM.

McFADON/STRAIN 3-0-0-2 motion passes to adopt Resolution No. 2024-09, accepting the Well 7 Replacement Project Phase IV Improvements, and authorizing the City Clerk to file a Notice of Completion, with the following roll call vote:

CROOKER	RUSH	STRAIN	McFADON	CARR
AYE	ABSENT	AYE	AYE	ABSENT

5. PUBLIC HEARING: NONE.

6. NEW BUSINESS:

6.1: Adopt Ordinance No. 2024-01, an Urgency Ordinance of the City of Hughson Imposing a Moratorium on All New Smoking Lounges and Smoke Shops Within the City of Hughson.

Deputy City Attorney Terpstra presented the staff report on this item.

The item was tabled for a subsequent meeting because the item needs a super majority vote to pass.

No action was taken.

7. CORRESPONDENCE: NONE.

8. COMMENTS:

8.1: Staff Reports and/or Comments:

City Clerk Gose congratulated Patty King on her appointment to the Parks, Recreation and Entertainment Commission. She provided a reminder regarding the final two Hughson has Heart Event Planning Meetings.

Director Jauregui announced that the Lebright Paving Project is complete. She acknowledged her appreciation for our Public Works and Utilities staff.

8.2: Council Member Comments:

Councilmember McFadon congratulated Patty King on her appointment to the Parks, Recreation and Entertainment Commission.

Councilmember Strain attended an Every 15 Minutes Demonstration at Hughson High School. She congratulated Patty King on her appointment to the Parks, Recreation and Entertainment Commission. She thanked staff for their continued hard work.

Mayor Pro Tem Crooker attended a League of California Cities Division meeting on March 14, 2024. He also attended the Knights of Columbus Annual Corn Beef and Cabbage Dinner on March 16, 2024. He toured the new Lebright Snack Shack on March 25, 2024.

9. **CLOSED SESSION TO DISCUSS THE FOLLOWING:** NONE.

10. **ADJOURNMENT:**

Motion passes to adjourn the March 25, 2024, regular meeting at 6:25PM, with the following roll call vote:

CROOKER	RUSH	STRAIN	McFADON	CARR
AYE	ABSENT	AYE	AYE	ABSENT

APPROVED:

RANDY CROOKER, Mayor Pro Tem

ATTEST:

ASHTON GOSE, City Clerk



CITY COUNCIL AGENDA ITEM NO. 3.2

SECTION 3: CONSENT CALENDAR

Meeting Date: April 8, 2024
Subject: Approval of Warrants Register
Presented By: Kim Weimer, Director of Finance

Staff Recommendation:

Approve the Warrants Register as presented.

Background and Overview:

The warrants register presented to the City Council is a listing of all expenditures paid from March 19, 2024, through April 4, 2024.

Fiscal Impact:

There are reductions in various funds for payment of expenses.



UBPKT03541 - Refunds 01 UBPKT03537 Regular

Account	Name	Date	Check #	Amount	Code	Receipt	Amount	Type
11-1450-007	Inc., Coraesta	3/19/2024	57863	145.03			145.03	Deposit
14-2340-001	FOSTER, SINCLAIR	3/19/2024	57864	99.17			99.17	Deposit
Total Refunds: 2			Total Refunded Amount:	244.20				

Revenue Code Summary

Revenue Code	Amount
996 - UNAPPLIED CREDITS	244.20
Revenue Total:	244.20

General Ledger Distribution

Posting Date: 03/05/2024

	Account Number	Account Name	Posting Amount	IFT
Fund:	510 - WATER/SEWER DEPOSIT			
	510-10001	CLAIM ON CASH-WATER/SEWER DEPOSIT	-244.20	Yes
	510-11040	CUSTOMER CREDITS	244.20	
	510 Total:		0.00	
Fund:	999 - POOLED CASH/CONSOLIDATED CASH			
	999-10010	CASH IN BANK-MONEY MARKET	-244.20	
	999-20000	DUE TO OTHER FUNDS (POOLED CASH)	244.20	Yes
	999 Total:		0.00	
	Distribution Total:		0.00	



Hughson

Check Report

By Check Number

Date Range: 03/19/2024 - 04/04/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: Payable Bank-Payable Bank						
01144	TROPHY WORKS	03/19/2024	Regular	0.00	50.63	57865
916213	Invoice	03/19/2024	3 Name Plates	0.00	50.63	
01257	1ST SECURITY & SOUND INC	03/26/2024	Regular	0.00	4,890.00	57866
30162	Invoice	03/08/2024	Carmeras for Lebright	0.00	4,890.00	
00016	ABS PRESORT	03/26/2024	Regular	0.00	5,000.00	57867
MP-20240311	Invoice	03/11/2024	Postage Advance for Mailing Service	0.00	5,000.00	
00049	ALLIED ADMINISTRATORS	03/26/2024	Regular	0.00	2,275.70	57868
INV0010917	Invoice	04/01/2024	DELTA DENTAL	0.00	2,275.70	
01603	Amazon Capital Services, Inc.	03/26/2024	Regular	0.00	27.94	57869
1PRW-XJLV-4R6J	Invoice	03/25/2024	Office Supplies	0.00	27.94	
00104	AYERA TECHNOLOGIES INC.	03/26/2024	Regular	0.00	84.00	57870
544761	Invoice	03/01/2024	Service (Blanket)	0.00	84.00	
00364	CSJVRMA	03/26/2024	Regular	0.00	45,868.00	57871
RMA 2024-0222	Invoice	03/15/2024	2023/2024 4TH QTR DEPOSITS	0.00	45,868.00	
00368	CSU STANISLAUS	03/26/2024	Regular	0.00	50.00	57872
CMP-013485	Invoice	03/25/2024	January 2024 Live Scan	0.00	50.00	
01932	Donald A. Bigelow	03/26/2024	Regular	0.00	425.00	57873
00002	Invoice	03/15/2024	Red Cross First Aid CPR/AED Certification ~...	0.00	425.00	
00522	GEOANALYTICAL LABORATORIE	03/26/2024	Regular	0.00	909.80	57874
K4B0124	Invoice	03/26/2024	WW Blanket Geoanalytical	0.00	219.00	
K4B2206	Invoice	03/26/2024	WW Blanket Geoanalytical	0.00	190.00	
K4B2709	Invoice	03/26/2024	water blanket Geoanalytical	0.00	172.00	
K4B2813	Invoice	03/26/2024	water blanket Geoanalytical	0.00	328.80	
00594	HINDERLITER, dELLAMAS &	03/26/2024	Regular	0.00	768.88	57875
SIN036512	Invoice	03/11/2024	Contract Services- Sales Tax 1ST QTR	0.00	768.88	
01398	Jose Vasquez	03/26/2024	Regular	0.00	199.80	57876
INV0010912	Invoice	03/25/2024	Food for interview panel	0.00	19.80	
INV0010913	Invoice	03/22/2024	Pesticide License	0.00	180.00	
01878	LISANDRO LOPEZ	03/26/2024	Regular	0.00	150.00	57877
INV0010914	Invoice	03/21/2024	Canceled per renter - Lopez	0.00	150.00	
00822	NESTLE WATERS	03/26/2024	Regular	0.00	75.95	57878
04C6703905050	Invoice	03/04/2024	Water for City Hall	0.00	75.95	
00884	PITNEY BOWES	03/26/2024	Regular	0.00	555.20	57879
INV0010915	Invoice	03/25/2024	POSTAGE	0.00	555.20	
01885	RecruitGigs	03/26/2024	Regular	0.00	990.00	57880
68764	Invoice	03/15/2024	Extra Help - PW	0.00	990.00	
01907	Ripon Print Studio	03/26/2024	Regular	0.00	191.63	57881
12001	Invoice	03/25/2024	Reusable banner for Hughson Has Heart e...	0.00	191.63	
00978	SAN JOAQUIN VALLEY Air Pollution Control Dist	03/26/2024	Regular	0.00	577.00	57882
N161523	Invoice	03/26/2024	fox generator permit	0.00	577.00	
01000	SEEGER'S	03/26/2024	Regular	0.00	268.61	57883

Check Report

Date Range: 03/19/2024 - 04/04/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
0143300-IN	Invoice	03/25/2024	OFFICE SUPPLIES	0.00	268.61	
01009	SHRED-IT USA LLC	03/26/2024	Regular	0.00	200.66	57884
8006465860	Invoice	03/03/2024	Shredding	0.00	200.66	
01040	STANISLAUS COUNTY SHERIFF	03/26/2024	Regular	0.00	165,289.64	57885
2324-36	Invoice	03/11/2024	February 2024	0.00	165,289.64	
01090	SUTTER HEALTH PLUS	03/26/2024	Regular	0.00	16,369.76	57886
3038309	Invoice	04/01/2024	MEDICAL INSURANCE- APRIL	0.00	16,369.76	
01093	SYNAGRO WEST, LLC	03/26/2024	Regular	0.00	3,204.43	57887
46568	Invoice	03/21/2024	Sludge removal (Blanket)	0.00	3,204.43	
01149	TURLOCK IRRIGATION DIST.	03/26/2024	Regular	0.00	25,961.68	57888
INV0010916	Invoice	03/25/2024	ELECTRIC	0.00	25,961.68	
01947	Waterford Irrigation Supply, Inc	03/26/2024	Regular	0.00	206.28	57889
209243	Invoice	03/26/2024	pipe fittings	0.00	83.89	
209268	Invoice	03/26/2024	pipe fittings	0.00	122.39	
00755	MCR ENGINEERING, INC	03/27/2024	Regular	0.00	14,760.00	57890
19457	Invoice	03/27/2024	Well 7 Site Improvements	0.00	14,760.00	
01420	CALIFORNIA STATE DISBURSEMENT UNIT	03/28/2024	Regular	0.00	40.12	57891
INV0010933	Invoice	03/27/2024	INCOME WITHHOLDING FOR CHILD SUPP...	0.00	40.12	
00582	HERITAGE FORD	03/28/2024	Regular	0.00	2,457.21	57892
8023081	Invoice	03/28/2024	Repairs and Labor for PW1	0.00	2,457.21	

Bank Code Payable Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	33	28	0.00	291,847.92
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	33	28	0.00	291,847.92

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	33	28	0.00	291,847.92
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	33	28	0.00	291,847.92

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH/CONSOLIDATED CASH	3/2024	291,847.92
			291,847.92



CITY COUNCIL AGENDA ITEM NO 6.1

SECTION 6: NEW BUSINESS

Meeting Date: April 8, 2024
Subject: Adopt Ordinance No. 2024-01, an Urgency Ordinance of The City of Hughson Imposing a Moratorium on All New Smoking Lounges and Smoke Shops Within the City of Hughson.
Presented By: Tom Terpstra, Deputy City Attorney

Staff Recommendation:

Adopt Ordinance No. 2024-01, an Urgency Ordinance of The City of Hughson Imposing a Moratorium on All New Smoking Lounges and Smoke Shops Within the City of Hughson.

Discussion:

Over the past few months, there has been growing concern in the community regarding smoke shops and other retailers of tobacco products in the City of Hughson. These establishments primarily sell tobacco products, vaping devices, and related paraphernalia. The presence of such businesses raises concerns regarding public health, safety, and community welfare, particularly regarding minors.

An increased proliferation of smoke shops within the City can contribute to various negative impacts, including:

1. **Public Health Degradation:** The availability of tobacco and vaping products can exacerbate public health issues such as smoking-related illnesses and substance abuse among youth and adults alike.
2. **Youth Exposure:** The proximity of these establishments to schools and recreational areas increases the risk of youth exposure to tobacco and vaping products, potentially leading to addiction and harmful health consequences.
3. **Negative Economic Effects:** Concentration of smoke shops may deter other types of businesses from establishing in the area, impacting the economic diversity and vitality of the community.

Pursuant to the City's police powers under the California Constitution and Government Code Section 65858, the City has the authority to adopt an urgency ordinance prohibiting a use that may be in conflict with contemplated general plan, specific plan, or zoning proposal that the City is considering or studying.

Unlike the regular ordinance adoption process, which requires a first and a second reading and goes into effect 30 days after approval by the City Council, an urgency ordinance can go into effect immediately upon adoption by the City Council. However, urgency ordinances automatically expire after 45 days, unless extended by the City Council in accordance with Government Code Section 65858. Urgency ordinances, and any subsequent extensions thereof, must be adopted by no less than a four-fifths (4/5) vote of the Council.

This temporary Urgency Ordinance would give the City staff an opportunity to conduct the research and, if necessary, engage with stakeholders in order to gather data and insights to inform evidence-based policy decisions regarding future regulations and ordinances to governing smoke shops in the future.

To be clear, this temporary moratorium would only impact the processing of permits for new smoke shops and smoking lounges. Existing businesses within the City that meet the definition of a “smoke shop” or “smoking lounge” set forth in this Urgency Ordinance will not be impacted by this Ordinance and would be allowed to continue to operate as they are currently permitted.

Conclusion:

In light of the growing concerns in the community surrounding the proliferation of smoke shops and smoking lounges and their potential negative impacts on public health, youth, and community well-being, the adoption of an Urgency Ordinance imposing a moratorium is warranted. This temporary measure will allow the City of Hughson to assess the situation comprehensively, engage stakeholders, and develop appropriate regulations to safeguard the health and welfare of its residents. Therefore, staff recommends the City Council's approval of this Urgency Ordinance.

Fiscal Impact:

There is no fiscal impact associated with this item.

ORDINANCE NO. 2024-01

**AN URGENCY ORDINANCE OF THE CITY OF HUGHSON
IMPOSING A MORATORIUM ON ALL NEW SMOKING LOUNGES AND SMOKE
SHOPS WITHIN THE CITY OF HUGHSON**

WHEREAS, smoking and use of tobacco products, particularly by minors, poses a significant health hazard to the user and persons in proximity to the user, including, without limitation, nicotine addiction, disease, and premature death; and

WHEREAS, e-cigarettes are advertised using the same themes and tactics that have been shown to increase youth initiation of other tobacco products, including cigarettes; and

WHEREAS, e-cigarettes have been widely advertised over social media, television, and via other forms of media targeted at minors, increasing their awareness of, curiosity about, and willingness to try e-cigarettes; and

WHEREAS, the City of Hughson has a significant interest in discouraging tobacco use by minors and discouraging the sale or distribution of tobacco products to minors, including vape pens and devices, e-cigarettes, and flavored tobacco products; and

WHEREAS, the City has a significant interest in preserving the health, safety, and welfare of its residents, particularly its minor residents, in considering enactment of additional regulations on the sale and distribution of tobacco products; and

WHEREAS, the City finds that there is a current and immediate threat to the public health, safety, or welfare with respect to the sale and distribution of tobacco products within the City, including access to such products by minors, and the approval of additional permits, licenses, or any other entitlement for new smoking lounges or smoke shops, would result in a further threat to public health, safety, or welfare; and

WHEREAS, the City Council has the authority to adopt this Urgency Ordinance pursuant to California Constitution Article XI, Section 7 and Government Code section 65858 as an urgency measure prohibiting a use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City is considering or studying; and

WHEREAS, the City finds that this Urgency Ordinance is necessary to promote the immediate preservation of the peace, health, and safety of the public, including its minor residents, against the potential detrimental health impacts of tobacco smoking in order to allow the City an opportunity to study this issue and develop and adopt additional appropriate regulations for the sale and distribution of tobacco products.

NOW, THEREFORE, the City Council of the City of Hughson does ordain as follows;

SECTION 1. The above recitals are true and correct and are incorporated herein by reference. The Hughson City Council hereby finds and determines that this Urgency Ordinance is necessary for the immediate protection of the public safety, health and welfare.

SECTION 2. Except as set forth herein, during the term of this ordinance, any new smoking lounge or smoke shop shall be prohibited in all zoning districts and lands within the City of Hughson, and no application for any permit, license, or land use entitlement shall be granted or approved for any new smoking lounge or smoke shop in any zoning districts or lands within the City.

SECTION 3. Notwithstanding any other provision of this ordinance, any person who lawfully holds or held a permit, license, or land use entitlement for an existing and lawfully operating smoking lounge or smoke shop in the City of Hughson as of March 25, 2024, and is otherwise in compliance with applicable laws, may continue to lawfully operate under that permit, license, and/or entitlement, and may apply for the renewal of any such permit, license, or entitlement, which renewal may be approved or denied by the City under the standards governing such permit, license, and/or entitlement under existing law.

SECTION 4. Nothing herein shall limit the authority of the City to revoke or suspend any existing license, permit, or entitlement as authorized under existing law.

SECTION 5. This ordinance shall be in effect from the date of adoption for a period of forty-five (45) days, unless it is extended pursuant to Government Code section 65858(a) or other applicable law, as approved by the City Council.

SECTION 6. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the validity of any particular portion thereof.

SECTION 7. The City Council finds that this Urgency Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim Urgency Ordinance is nonetheless exempt from the requirements of CEQA. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 8. Definitions

As used herein, the following definitions shall apply:

- A. "Person" shall mean any individual natural person, firm, partnership, joint venture, limited liability company, association, social club, fraternal organization, corporation,

estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

- B. "Smoking lounge" means a business establishment that permits the smoking of tobacco or other combustible substances on site, including, but not limited to, establishments commonly known as cigar lounges, hookah bars/cafes, tobacco clubs, or smoking parlors.
- C. "Smoke shop" means a retailer whose main purpose is the sale of smoking and/or tobacco products, including, but not limited to, cigars, pipe tobacco, tobacco paraphernalia, and smoking accessories for off-premises consumption at a retail establishment that devotes more than fifteen (15%) percent of its total floor area to the display and sale of smoking, drug, and/or tobacco paraphernalia. As used within this definition, the term "tobacco paraphernalia" includes electronic cigarettes and electronic vapor devices.

SECTION 9. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 10. This Ordinance is an urgency ordinance adopted pursuant to Government Code section 65858 and shall take effect immediately pursuant to Government Code section 36937(b).

SECTION 11. Within fifteen (15) days after its passage, the City Clerk shall cause this Ordinance to be published in full in accordance with California Government Code section 36933.

On motion of Councilmember _____, seconded by _____, the foregoing Ordinance was passed by a 4/5 vote of the City Council of the City of Hughson at a regular meeting held on March 25th, 2024, by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS: _____

ABSENT: _____

GEORGE CARR, Mayor
City of Hughson

ATTEST:

ASHTON GOSE
City Clerk, City of Hughson



CITY COUNCIL AGENDA ITEM NO. 6.2

SECTION 6: NEW BUSINESS

Meeting Date: April 8, 2024
Subject: Adopt Resolution No. 2024-10, Approving a Professional Services Agreement with Willdan Financial Services for the Development of a Comprehensive User Fee Study, Cost Allocation Plan, and Development Impact Fee Study
Enclosure: Draft Professional Services Agreement Including Exhibits
Presented By: Kim Weimer, Director of Finance & Admin. Services

Staff Recommendations:

1. Adopt Resolution No. 2024-10, approving a professional services agreement with Willdan Financial Services for a User Fee Study, Cost Allocation Plan, and a Development Impact Fee Study.
2. Authorize the City Manager to execute the contract with Willdan Financial Services inclusive of any final edits by the City Attorney.

Background:

On June 27, 2022, the Hughson City Council approved a project list for the American Rescue Plan Act (ARPA) funds that were received by the City of Hughson. Included in the list of approved projects was \$75,000 set aside to hire a consultant to develop a master fee schedule and cost allocation plan. Many of the fees for services with the City of Hughson have been in effect since 2009. Fiscally this translates to a 39% loss of revenue for the City. Developing a comprehensive cost allocation plan is crucial in updating our master fee schedule. An updated fee schedule will help ensure that we are adequately funding the cost of essential staff to deliver these services effectively.

Discussion:

The purpose of the user fee study is to identify the total cost of providing each City service at the appropriate activity level and in a manner that is consistent with all applicable laws, statutes, rules, and regulations governing the collection of fees, rates, and charges by public entities. The City needs to compare its service costs with existing recovery levels. This will also include any service areas where the City is currently charging for services, as well as areas where perhaps the City should charge, in light of the City's historical practices, or the practices of similar or neighboring cities.

The purpose of the cost allocation plan is to ensure that the City has a basis of applying comprehensive overhead rates and is accurately accounting for the true cost of providing various services by each department. A full cost allocation plan allocates all indirect costs. Furthermore, best practices, accounting standards and OMB 2 CFR Part 225 make it necessary for the City to maintain a well-documented cost allocation plan to appropriately allocate general and administrative costs in its budget; properly identify overhead rates that can be used in the calculation of billable hourly rates for federal and state grants, user fees, and reimbursements from other governmental agencies.

Lastly, the development fee study will provide the required nexus between the impact created by new development and the amount of the fees. In addition, the fee study will also quantify the projected burden that a new development will create on the City's infrastructure. Public infrastructure includes roads, schools, parks, recreational facilities, water & sewer, among other services. Staff recommends the City commission the development impact fee study along with the user fee study and cost allocation plan to provide a comprehensive update.

On January 3, 2024, staff posted a Request for Proposals (RFP) for a Comprehensive Development Impact Fee Study, Cost Allocation Plan and Development Impact Fee Study. The City received two proposals, one from Willdan Financial Services, and one from Matrix Consulting Group. Staff have reviewed both proposals and are recommending using Willdan Financial Services. This recommendation is based not only from a financial perspective but also from the depth of experience of the staff who will be providing the services as well as positive references provided from other cities who hired Willdan to provide similar services for them.

Fiscal Impact:

If this item is approved, a budget increase will be made in Fund 380 (ARPA Fund) for the Fiscal Year 2023-24 in the amount of \$58,861, which includes \$5,351 for contingencies.

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("**Agreement**") is entered into by and between the City of Hughson, a California municipal corporation ("**City**") and Willdan Financial Services.

RECITALS

Whereas, City has determined that it requires the following professional services from Consultant: Comprehensive User Fee Study, Cost Allocation Plan and Development Impact Fee Study.

Whereas, Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees; and

Whereas, Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

1. DEFINITIONS

1.1. "**Scope of Services**": Such professional services as are set forth in Consultant's proposal to City attached hereto as Exhibit A and incorporated herein by this reference.

1.2. "**Approved Fee Schedule**": The compensation rates set forth in Consultant's fee schedule to City attached hereto as Exhibit B and incorporated herein by this reference.

1.3. "**Schedule of Services**": The schedule that identifies when certain services, work and other items are to be completed and delivered to City attached hereto as Exhibit C and incorporated herein by this reference.

2. TERM

The term of this Agreement will commence on May 1, 2024 and will expire on October 31, 2024, unless terminated sooner in accordance with Section 15 of this Agreement; provided, however, this Agreement may be renewed at the option of City by written notice to Consultant at least thirty (30) calendar days before expiration of any term, of its intention to renew this Agreement. Nothing in this Agreement requires City to renew or extend this Agreement.

3. CONSULTANT'S SERVICES

3.1 Consultant shall perform the services identified in the Scope of Services ("**Services**"). City shall have the right to request, in writing, changes in the Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by a written amendment or change order to this Agreement.

3.2 Consultant shall perform all Services to the professional standards of Consultant's profession. Consultant shall comply with all applicable federal, state and local laws and regulations, including the conflict of interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 et seq.).

3.3 During the term of this Agreement, the Consultant shall disclose to City any financial, business, or other relationship with City or any third-party that may have an impact upon the outcome of this Agreement or any ensuing City construction project. The Consultant shall also disclose to City Consultant's current clients who may have a financial interest in the outcome of this Agreement or any ensuing City construction project which will follow.

3.4 Consultant warrants that this Agreement was not obtained or secured through rebates, kickbacks, or other unlawful consideration, either promised or paid to any City employee.

3.5 Consultant represents that it has, or will secure at its own expense, all personnel required to perform the Services. All Services shall be performed by Consultant or under its supervision, and all personnel engaged in the Services shall be fully qualified and authorized to perform it under federal, state and local laws.

3.6 Nothing contained in this Agreement or otherwise, shall create any contractual relation between City and any consultant or contractor or agent of Consultant (each, a "**Subconsultant**"), and no sub-agreement shall relieve Consultant of its responsibilities and obligations hereunder. Consultant agrees to be as fully responsible to City for the acts and omissions of its Subconsultant(s) and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by Consultant. Consultant's obligation to pay its Subconsultants is independent from City's obligation to make payments to the Consultant.

3.7 Consultant shall perform the Services with resources available within its own organization and no portion of the Services shall be subcontracted without the prior written authorization of City, except that which is expressly identified in the Approved Fee Schedule.

3.8 All sub-agreements entered into by Consultant as a result of this Agreement shall contain all the provisions stipulated in this Agreement to be applicable to Subconsultants unless otherwise noted.

3.9 Any substitution of Subconsultant(s) must be approved in writing by City prior to the start of work by the Subconsultant(s).

4. ADDITIONAL SERVICES.

Additional work may be required by City in connection with the Services. Such additional work shall be performed as set forth in a written amendment to this Agreement. Each amendment providing for additional work must list the scope of the additional services to be performed, state the time within which they are to be completed, delineate any special conditions, and state the compensation in accordance with the terms provided in Section 5 of this Agreement.

5. COMPENSATION, ALLOWABLE COSTS, AND PAYMENTS

5.1. All payments by City to Consultant as required under this Agreement will be based on a fixed fee or hourly rate.

5.2. City will pay to Consultant as consideration for all Services to be performed pursuant to this Agreement an amount not-to-exceed fifty-eight thousand, eight hundred and sixty one DOLLARS (\$58,861) which includes a 10% contingency fee (\$9,945 - Cost Allocation Plan, \$26,885 Comprehensive User Fee Study, \$16,680 Development Impact Fee Study, and \$5,351 Contingency).

5.3 Consultant will submit monthly invoices to City, specifying Services completed. Each invoice must itemize the services rendered during the billing period and the amount due.

5.4. Monthly invoices shall include the following information:

5.4.1 City Agreement number.

5.4.2 Direct Labor charges billed by class of employee, rate per hour and number of hours.

5.4.3 Overhead charges, as applicable.

5.4.4 Indirect Costs related to travel, lodging, meals and incidental charges as described in the
Approved Fee Schedule.

Any additional direct or indirect costs not specifically identified in this Agreement must be approved by City before any request for reimbursement can be made by Consultant.

5.5 City shall notify Consultant, in writing, of any disputed amounts included on the invoice. City shall pay all undisputed amounts included on the invoice. City shall not withhold applicable taxes or other authorized deductions from payments made to Consultant.

5.6 City is not obligated to pay any invoice submitted 180 days or more after a Product is shipped or Services are completed.

5.7. City shall not advance Consultant for any costs in the performance of this Agreement. City shall pay Consultant for any reimbursable costs upon 1) providing proper supporting documentation for the cost in its monthly billings and 2) completion of the activity in which the cost was incurred by the Consultant.

5.8. City will make best efforts to reimburse Consultant within thirty (30) days of receipt of an acceptable invoice approved by the City. City shall notify Consultant, in writing, of any disputed

amounts included on the invoice. City shall pay all undisputed amounts included on the invoice. City shall not withhold applicable taxes or other authorized deductions from payments made to Consultant

6. PROJECT SCHEDULE

Consultant will perform and deliver the Services according to the Schedule of Services. The Schedule of Services may be extended by the written consent of Consultant and City and only in the event that such extension is necessary due to significant revisions to the Services or the Schedule of Services (or both) caused by City or other reviewing agency.

7. FAILURE TO MAKE REASONABLE PROGRESS

City reserves the right to suspend reimbursement in the event Consultant fails to make reasonable progress in the performance or the delivery, or both, of the Services.

8. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material ("*written products*") developed by Consultant in the performance of this Agreement shall be and remain the property of City without restriction or limitation upon its use or dissemination by City. However, the written products are not intended or represented to be suitable for reuse by City on extensions of the Services or any other project. Any reuse without written verification or adaptation by Consultant for the specific purpose intended will be at City's sole risk and without liability or legal exposure to Consultant. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

9. RELATIONSHIP OF PARTIES

Consultant is, and shall at all times remain as to City, a wholly independent contractor and not an employee of City. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent that it is, or any Subconsultant is, or that any of Consultant's or Subconsultant's agents or employees are, in any manner employees of City.

10. CONFIDENTIALITY

All data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written consent by City. Upon request, all City data shall be returned to City upon the termination or expiration of this Agreement, provided Consultant may retain an archival copy of such data for its project files subject to confidential treatment.

11. INDEMNIFICATION

11.1. To the fullest extent permitted by law, Consultant shall indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property that

arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, or any of its officers, employees, servants, or Subconsultants in the performance (or non-performance) of the Services or this Agreement (or both). Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.

11.2. City shall have the right to offset against the amount of any compensation due Consultant under this Agreement any amount due City from Consultant as a result of Consultant's failure to pay City promptly any indemnification arising under this Section 11 or related to Consultant's failure to: (i) pay taxes on amounts received pursuant to this Agreement, or (ii) comply with applicable workers' compensation laws, or (iii) both (i) and (ii).

11.3. Consultant agrees to obtain executed indemnity agreements from each and every Subconsultant or any other person or entity involved by, for, with or on behalf of Consultant in the performance of the Services whereby each Subconsultant or other person or entity involved in the performance of the Services agrees to indemnify, defend, and hold harmless City to the same or greater extent as Consultant has agreed to indemnify, defend, and hold harmless City as set forth in this Agreement. In the event Consultant fails to obtain such indemnity obligations from others as required herein, Consultant agrees to be fully responsible and indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any negligence, recklessness, or willful misconduct of Consultant's Subconsultants or any other person or entity involved by, for, with or on behalf of Consultant in the performance of the Services or this Agreement (or both). Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.

11.4. The obligations of Consultants under this Section 11 will not be limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City, its officers, agents, employees and volunteers.

11.5. City does not, and shall not, waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy or certificate required pursuant to this Agreement. Consultant's obligations to defend, hold harmless, and indemnify City will apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

12. INSURANCE

12.1. Consultant will not commence the Work until all insurance required pursuant to this Agreement is obtained at Consultant's own expense. Consultant must furnish certification of insurance within five (5) days after this Agreement is executed and prior to issuance of the Notice to Proceed. Such insurance must have the approval of City as to limit, form and amount. During the term of this Agreement, Consultant must carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with

Consultant's performance of the Work or this Agreement (or both). Such insurance shall be of the types and in the amounts as set forth below:

12.1.1 Commercial General Liability Insurance for bodily injury (including death) and property damage which provides limits of Two Million Dollars (\$2,000,000) per occurrence and Two Million Dollars (\$2,000,000) annual aggregate as respects products/completed operations if applicable.

a. Coverage must include:

- (1) Premises and Operations;
- (2) Broad Form Property Damage;
- (3) Products and Completed Operations;
- (4) Contractual Liability;
- (5) Personal Injury & Advertising Liability;
- (6) Independent Contractor's Liability;
- (7) Cross Liability and Severability of Interest.

b. Such insurance must include the following endorsements, copies of which must be provided to City:

- (1) Inclusion of City and their directors, officers, representatives, agents and employees as additional insured as respects to Consultant's services or operations under this Agreement;
- (2) Waiver of Subrogation in favor of City and their directors, officers, representatives, agents and employees; and
- (3) Stipulation that the insurance is primary insurance and that no insurance or self-insurance of the City will be called upon to contribute to a loss.

12.1.2 Automobile Liability Insurance for bodily injury (including death) and property damage which provides limits of liability of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence applicable for all owned, non-owned and hired vehicles.

12.1.3 Statutory Workers' Compensation and Employers' Liability Insurance for not less than One Million Dollars (\$1,000,000) per accident applicable to Employers' Liability coverage for all employees engaged in services or operations under this Agreement. The policy must include Broad Form All States/Other States coverage. Coverage must be specifically endorsed to include the insurer's waiver of subrogation in favor of City and their directors, officers, representatives, agents and employees, a copy of which will be provided to City.

12.1.4 Professional Liability Insurance for damages arising out of Consultant's acts, errors or omissions. The policy must provide a coverage limit of not less than Two Million Dollars

(\$2,000,000) per claim/aggregate as respects Consultant's services under this Agreement. Such insurance must be maintained for a period of not less than two (2) years following completion of services.

12.1.5 Cyber Coverage for damages arising out of Consultant's use of data network that may be subject to cyber security breaches, privacy breaches, and hacking attacks. The policy must provide a coverage limit of not less than Two Million Dollars (\$2,000,000) per claim/aggregate as respective Consultant's services under this Agreement for Network Security and Privacy Liability. Such insurance must be maintained for a period of not less than two (2) years following completion of services.

12.1.6 Umbrella/Excess Liability insurance on an occurrence basis in excess of the underlying insurance described above which is at least as broad as each and every one of the underlying policies. The policy must provide coverage limits of not less than \$5,000,000 (each claim), \$5,000,000 (general aggregate), and \$5,000,000 (products & completed operations aggregate). Umbrella limits may be used to satisfy limit requirements as long as the total amount of insurance is not less than the limits specified in this Agreement.

12.2. Consultant shall require each of its Subconsultants to maintain insurance coverage that meets all of the requirements of this Agreement.

12.3. The policy or policies required by this Agreement shall be issued by an admitted insurer or an approved insurer with the Surplus Line Association in the State of California and with a rating of at least A:VII in the latest edition of AM Best's Insurance Guide.

12.4. Consultant agrees that if it does not keep the aforesaid insurance in full force and effect, City may (in addition to any other remedy provided by this Agreement, law, or equity) either: (i) immediately terminate this Agreement; or (ii) take out the necessary insurance and pay, at Consultant's expense, the premium thereon.

12.5. At all times during the term of this Agreement, Consultant shall maintain on file with City a certificate or certificates of insurance showing that the aforesaid policies are in effect in the required amounts and naming City and its officers, employees, agents and volunteers as additional insureds. Consultant shall, prior to commencement of work under this Agreement, file with City such certificate(s).

12.6. Consultant shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least ten (10) days prior to the expiration of the coverages.

12.7. All policies must be endorsed to provide the City with thirty (30) calendar days prior written notice of any cancellation, reduction, or material change in coverage. Notices, including evidence of

insurance, must be forwarded to:

City of Hughson
PO Box 9
Hughson, CA 95326

Consultant will submit certifications confirming that the insurance has been renewed and continues in place.

12.8. The insurance provided by Consultant shall be primary to any coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.

12.9. All insurance coverage provided pursuant to this Agreement shall not prohibit Consultant, and Consultant's employees or Subconsultants, from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against City.

12.10. Any deductibles or self-insured retentions must be declared to and approved by City

12.11. Procurement of insurance by Consultant shall not be construed as a limitation of Consultant's liability or as full performance of Consultant's duties to indemnify, hold harmless and defend under the terms of this Agreement.

13. MUTUAL COOPERATION

13.1. City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement. Consultant shall be entitled to reasonably rely upon the accuracy and completeness of such information and materials, provided that Consultant shall provide City prompt written notice of any known defects in such information and materials.

13.2. In the event any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require.

14. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City:

City of Hughson
PO Box 9
Hughson, CA 95326
Attn: City Manager
(209) 883-4054

If to Consultant:

Willdan Financial Services
27368 Via Industria, Ste 200
Temecula, CA 92590
Attn: Chris Fisher
(951) 587-3500

15. SURVIVING COVENANTS

The parties agree that the covenants contained in Section 10, Section 11, and Section 13.2 of this Agreement shall survive the expiration or termination of this Agreement.

16. DEFAULT AND TERMINATION

16.1 Consultant shall be liable for any and all loss and damages sustained by City as a result of delays resulting from any breach of this Agreement by Consultant.

16.2. If at any time City shall have reasonable doubt that Consultant has the ability to perform or complete the Services in the time and manner hereunder set forth because of Consultant's financial condition, or insufficient manpower, equipment, or materials, Consultant shall immediately furnish adequate assurance of its ability to perform satisfactorily to City. The failure of Consultant to furnish such assurance shall be deemed an event of default of this Agreement.

16.3 All of the following shall constitute events of default, which is not an exclusive list:

16.3.1 Consultant's failure to perform in full or in material part any or all of its obligations under this Agreement.

16.3.2 The filing against Consultant of an involuntary petition seeking to declare Consultant a debtor under the Bankruptcy Code if such involuntary petition is not dismissed within thirty (30) days after filing, or the granting of an order of relief against Consultant by the Bankruptcy Court, the commission of any act of insolvency, or making of an assignment for benefit of creditors without City's consent, or if for any cause a receiver shall be appointed for Consultant or Consultant's assets or interests under this Agreement.

16.3.3 Any act or omission by Consultant that would provide a basis for any claim by City against Consultant under applicable law, whether for damages or other legal remedy.

16.4 Should City terminate this Agreement due to the default of Consultant, Consultant shall owe as a debt to City all money damages sustained by City, including without limitation the following:

- Any increased cost required to complete Services of the terminated Consultant.

- Any delay damages, including increased bank penalties or interest and all other financial damage, caused by delay in completion of Services due to replacement of Consultant.
- All other costs and damages sustained by City due to any default of Consultant.

16.5 If City, in its subjective good faith judgment, determines that the Services has been improperly performed, has caused delay, or has caused damages to other work performed by Other Consultants, and if Consultant refuses or for any reason is unable to correct or pay for the improper Services, damage, or cost of delay, City may correct or pay for the correction of the improper Services, damages, or cost of delay and charge the costs to Consultant, which costs may be deducted from any monies owed by City to Consultant.

16.6 City may terminate this Agreement at any time for any reason by written notice to Consultant. Effective on receipt of such notice of termination from City, Consultant will cease all Services unless otherwise directed by City in writing. Upon such termination, Consultant may submit an invoice or invoices to City in amounts which represent the compensation specified herein for Services actually performed to the date of such termination and for which Consultant has not been previously compensated. Upon payment of the amount due, City will be under no further obligation to Consultant, financial or otherwise, and it is agreed that Consultant will not have any claim and will not be entitled to recover monetary damages for lost or anticipated profits for remaining work or for lost or anticipated profits based in any way on forgoing or not seeking, bidding or entering into other contracts or projects in reliance upon this Agreement.

17. GENERAL PROVISIONS

17.1. Consultant shall not delegate, transfer, or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.

17.2. The captions and headings in this Agreement are intended to be descriptive only and for convenience in reference in this Agreement. Should there be any conflict between the Heading and the specific content of a section or paragraph, the specific content of the section and paragraph shall control and govern in the construction and interpretation of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).

17.3. The waiver by City or Consultant of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing.

17.4. Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance of the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any of all of such other rights, powers or remedies. In the event legal action shall be necessary to enforce any term, covenant or condition herein contained, the party prevailing in such action, whether reduced to judgment or not, shall be entitled to its reasonable court costs, including accountants' fees, if any, and attorneys' fees expended in such action. The venue for any litigation shall be Stanislaus County, California.

17.5. If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to, the extent necessary to cure such invalidity or unenforceability, and in its amended form shall be enforceable. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

17.6. This Agreement shall be governed and construed in accordance with the laws of the State of California.

17.7. All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written Agreements are binding upon the parties. Amendments to this Agreement and change orders shall be effective and binding only if made in writing and executed by City and Consultant.

17.8 This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original for all purposes, and all such counterparts shall together constitute but one and the same instrument. A signed copy of this Agreement delivered by email shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement. Notwithstanding the foregoing, City and Consultant each shall deliver original counterparts to the other on or before FIFTEEN (15) days from the date hereof.

City

Wildan Financial Services

By:

By: _____

Dominique Romo

Name:

City Manager

Title:

EXHIBIT "A"
SCOPE OF SERVICES

[to be attached]

e. Scope of Work Comprehension

Project Methodologies

The following describes our proposed approach, and work plan to conduct a Comprehensive User Fee Study, Cost Allocation Plan, and an optional Development Impact Fee Review.

Cost Allocation Plan Methodology

The purpose of this cost allocation plan engagement is to ensure that the City is maximizing the allowable recovery of indirect overhead costs from identified operating departments, as well as enterprise and other chargeable funds.

A sound cost allocation plan is also a foundational element in the development of internal hourly rates, including position billing rates. We will work closely with staff in identifying the proper balance of allocation factors appropriate for the City so that the City has a method of identifying and distributing administrative costs that is fair, comprehensive, well documented, and fully defensible.

We will work collaboratively with City Staff in the development of this model to verify that our assumptions are sound and accurate, given specific City characteristics. Further, we will ensure that appropriate allocation factors are selected for various City functions and enterprises to ensure that the overall allocation strategy is tailored for the City of Hughson. Cost allocation studies should be simple in concept and form. Our plans are not over-complicated, can be easily understood by non-finance-oriented individuals, and are readily presentable to elected officials, appointed finance committees and the public.

We deliberately design our cost allocation models to quickly and easily transition from a simple model to a progressively more inclusive plan. The logical step-by-step presentation of our plans fosters confidence in their results and facilitates adoption and implementation.

The allocation models utilize an iterative method which is the most accurate allocation methodology. Unlike a direct or "step-down" methodology, an iterative method uses the chosen distribution bases and allocates central service costs iteratively until all allocable costs have been distributed. Using this method, the model can detail the allocation for each central function individually for complete transparency and accountability, while removing bias that might result from the order in which allocations occur in a step-down approach.

A direct methodology is essentially a one-iteration methodology, while a step-down method is typically only two iterations and is less precise and unable to accurately track the allocations from start to finish.

Approach for Managing the Project

Willdan's "hands-on" supervision of Cost Allocation Plan studies, include the following methods:

- **Effective Project Management** — Principal-in-Charge Chris Fisher will manage the entire project with an eye toward high responsiveness, while ensuring that all stakeholders are "on board" with the direction of the project, as well as with the final results. Mr. Fisher will ensure that regular status updates are provided to City staff, conference calls are scheduled, and that in-person meetings are conducted (as necessary).
- **Adherence to Time Schedule** — Willdan recognizes that the use of "timelines" is highly effective in meeting all required deadlines. To keep the project on schedule, there are several tasks that must be completed in a timely manner. Therefore, we will present a project timeline at the kick-off meeting that should be closely followed.

Approach in Communicating with the City

Willdan staff is accustomed to interfacing with local government councils, boards, staff, community organizations, and the public in general in a friendly and helpful manner; we are always mindful that we represent the public agency.

We are sensitive to the need of delivering a quality product, with the highest level of service and professionalism. Therefore, as the work on the project progresses, we understand that it will be necessary for our staff to work closely with you and City personnel. To accomplish this, we employ a variety of tools, including monitoring project status and budget costs; and ensuring effective communication through several options that are based on the City's preferences.

Experience with Development Service Processes

A unique aspect of our firm is our relationship with our Engineering Division. For many agencies throughout California and other Western states, this division provides contracted services in planning, engineering, and building and safety. When conducting cost recovery studies, we regularly consult with our engineering and land-development staff of experts on development-related issues. By working with our planners, engineers, and building officials, we understand development-related agency service procedures and workflow functions, which often make the entire user fee study process smoother for your staff.

Comprehensive User Fee Study Methodology

To comprehensively update fees, the City should develop a comprehensive user fee schedule that accurately accounts for the true cost of providing services. Once the study is complete, the fee study model must be flexible so that the City can add, delete, and revise fees in the future. To meet this goal, we will bring our expertise and unique perspectives to your fee study by approaching the project with these three principles:

1) Defensibility

Our user fee projects have not been legally challenged since the inception of this practice area in our firm. We have accomplished this by closely working with legal counsel familiar with user fee studies, our engineering division and with agency staff. In this way, we can tailor the correct approach to ensure full cost recovery combined with a sound and reasonable basis for each user fee you implement.

While Proposition 218 does not directly apply to non-property-related fees, we employ principles from this important constitutional article to make certain that your user fee and rate schedule is developed with fairness, equity, and proportionate cost recovery principles in mind. With the addition of Proposition 26, Willdan will review each analyzed user fee for compliance and appropriateness to ensure continued defensibility.

2) Project and Staff Time

The City must have a sound and technically defensible fee schedule to ensure costs are appropriately recovered, as applicants approach the City for its services. Our standards and approaches serve to get to the issues of your fee study quickly.

Starting with the project kick-off, we will make certain that your staff understands the purpose and scope of the study and its corresponding on-site departmental interview. As Willdan is able to communicate directly with the service providers, this face-to-face interaction provides valuable time estimates.

3) Responsiveness

We take great pride in providing responsive service to our client agencies. Frequent communication is critical to a successful user fee study experience. We will provide a list of data requirements in advance of the project kick-off so that the introductory meeting can focus on the survey input process, answering questions, determining policy goals, and defining next steps in the project. We will follow up weekly with you at each step in the fee study process to make sure that staff "buys in" to the fee study approach and results.

Approach

Our approach to preparing the user fee study and documentation for Hughson includes:

- Close coordination with your staff to devise a consensus approach. Different programs and/or different service delivery methods will necessitate different approaches. We will discuss specific pros and cons with City staff as we determine which methods work best for each fee category;
- Strict adherence to key legal and policy issues with regard to user fees, including the percent of cost recovery that the City seeks to achieve. A user fee shall not be set higher than the reasonable cost of providing a fee-generating service. Our approach provides you with a fee schedule that achieves maximum legal cost recovery while ensuring that each fee is supported by technically defensible documentation; and
- Technical analysis necessary to ensure State compliance, and to anticipate and resolve potential policy issues using a combination of industry standards as well as City specific methods.

As described below, there are two basic approaches to calculating user fees:

Approach 1: Case Study Method

This is also sometimes referred to as a cost build-up approach. Using a time and materials approach, the "Case Study Method" examines the tasks, steps and City staff involved in providing a particular 'unit' of service, such as a permit review, and then uses that information to develop estimates of the actual labor and material costs associated with providing a unit of service to a single user. It is often used when a service is provided on a regular basis, and staff and other costs associated with the service can be segregated from available budget data.

A typical case study fee model should comprise the following three general cost layers:

1) Central Services Overhead: This category may involve such costs as labor, services, and supplies that benefit more than one department, division, or project. The exact benefits to specific areas are impossible to ascribe to a single activity.

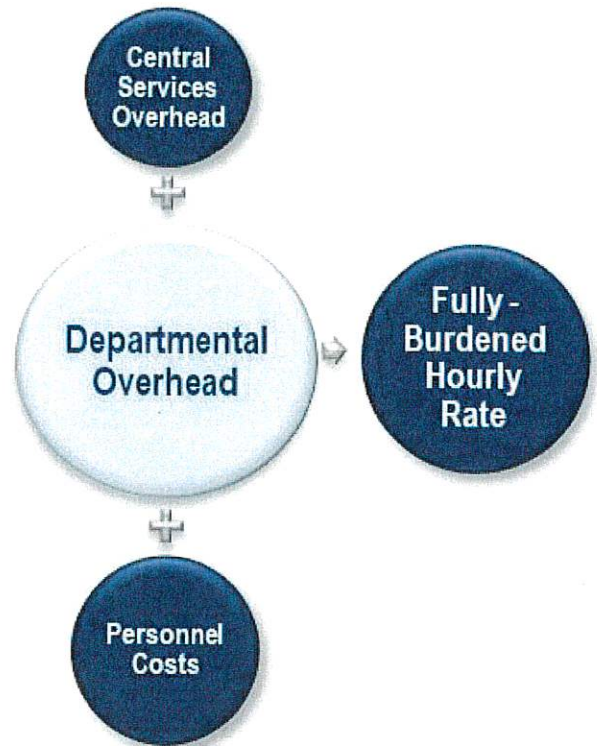
Examples are purchasing, human resources, and liability insurance. As part of the user fee study, these costs are calculated in the overhead cost review.

2) Department Overhead: This category may include expenses related to such items as office supplies, outside consultants, and membership dues. It may include management, supervision, and administrative support that are not provided to a direct fee-generating service. Typically, these items are charged, on an item-by-item basis, directly to the department, division, or project.

3) Personnel Costs: This category refers to direct salary and benefit costs of staff hours spent on providing a fee-generating service (e.g., on-site building inspector).

Approach 2: Average Cost Method

This is also sometimes referred to as a programmatic approach, because it looks at costs at a program level, and then allocates them to participants on an occurrence basis. By taking total service costs across a substantial sample period (a year) and dividing by the total number of service units delivered over that same period, costs per unit of service is estimated. This approach is useful when services or programs are provided in a more aggregate manner, where it might be difficult to identify a specific sequence of steps associated with one user or participant; or where it is not feasible to cost-effectively segregate costs associated with specific activities.



Optional Development Impact Fee Review Methodology

The objective of this project is to review the City's development impact fees. This will include the categories charged, the legal basis for the current fees, and fees charged in comparable jurisdictions, while meeting the requirements of the California Mitigation Fee Act (California Government Code 66000 to 66025). The resulting fees will fund new development's share of planned facilities, while not overburdening development with unnecessary costs.

Summary Approach

To accomplish the City's objective, Willdan will meet with City staff and review documents to understand the current development impact fees and how they are used, as well as understand any capital needs currently unfunded by impact fees that could be added to the City's fee program. Willdan will also bring the City information for comparable jurisdictions and statewide to understand new fees that could be charged. Finally, Willdan will evaluate the current fee program and its compliance with state law (AB 1600), especially nexus, proportionality, and reporting requirements (such as annual reporting and five year reviews).

Flexibility is important so we can tailor our approach to the available data, and the agency's policy objectives. Our understanding of the technical standards established by statutes and case law suggests that a range of approaches are technically defensible. Consequently, we can address policy objectives related to the fee program, such as economic development and affordable housing.

Work Plans

Our proposed work plans, described in detail by task, are provided below. We explain how each task will be accomplished and identify associated meetings and deliverables. We want to ensure our scopes of work provides quality and clarity and is responsive to the City's needs and specific local circumstances. We will work in concert with the City to adjust scopes as needed during the course of the studies.

Cost Allocation Plan

This proposed scope of services addresses the completion of both the full and OMB compliant versions of the Cost Allocation Plan (CAP). We have noted where activities specific to the OMB compliant plan occur.

Task 1:	Initial Document Request
Objective:	Initial due diligence.
Description:	<p>Prior to the kick-off call, relevant documentation will be obtained and reviewed. As necessary, specific data may be requested to better understand any changes that have occurred withing the City's internal structure since our completion of the previous CAP. A written request for specific data will be sent to the City. The data provided in this task will provide the building blocks for later model development.</p> <p>Our request may include (but is not limited to):</p> <ul style="list-style-type: none"> ▪ Detailed budget and accounting data; ▪ Data related to various allocation bases that may be used in the study and incorporated as part of the methodology, i.e., City Council agenda frequencies by department, AP/AR transactions by department, IT equipment distribution by department, etc.; ▪ Prior year's financial data, salary, position, and staffing data; ▪ Prior cost allocation plan and/or user fee documentation and models; and ▪ Organizational structure.
Deliverables:	<p>Willdan: Submit information request to City.</p> <p>City: Provide requested data to Willdan (prior to Task 2, Kick-off Call/Refine Scope). We will follow up with the City to confirm in writing the data that we have received, or which is still outstanding.</p>
Task 2:	Kick-off Conference Call / Refine Scope
Objective:	Confirm project goals and objectives. Identify and discuss policy matters related to the study and determine appropriate fee categories.
Description:	<p>Willdan will begin this portion of the project with a discussion of the City's exiting Cost Allocation Plan or methodology. We will identify and discuss policy implications typically raised in conjunction with these studies and address data gaps in order to gain a full understanding of the City's goals for the cost allocation plan. We will establish effective lines of communication and processes for information gathering and review. We will also discuss costs that may not be allocable for OMB purposes, and the potential impact on the OMB version of the CAP.</p> <p>During this call, we will ask that the City assign a project manager to serve as its primary contact. The selected City project manager will ensure that available data is provided to Willdan in a timely manner, thereby maintaining adherence to the project's schedule.</p> <p>We will obtain and review the current cost allocation methodology and discuss with City staff. The objective of this review is to determine specific areas of focus as they relate to the City's objectives, and to discuss and evaluate current and potential cost categories, allocation factors, and methodology.</p>
Meetings:	One (1) project kick-off conference call to initiate the project, discuss data needs and methodologies and to address policy issues. We would propose conducting the user fee study kick-off during this same call, to maximize efficiency and cost effectiveness of staff and Willdan time.
Deliverables:	<p>Willdan: If needed, a revised project scope and schedule.</p> <p>City: Provide further data requirements and select / introduce City's project manager.</p>
Task 3:	Gather Staffing Information and Develop/Update Cost Allocation Plan Model
Description:	This task involves the gathering of specific information, directly from City staff, through interviews and discussion, related to the functions served by indirect staff and the departments served by their activities.

This task also focuses on the development of, and/or adjustment of existing, allocation bases, and the development and testing of a model that will ultimately be used to calculate the proper cost allocations derived from data gathered in prior tasks.

We will develop a model that reflects current practices and service models and structures within the City and identifies the total costs of providing indirect overhead support services and allocates them to operating groups and functions.

The model will also be developed to allocate only those costs eligible under Title 2 CFR Part 200. This is accomplished by loading relevant data into the model, identifying which costs are not allocable under the OMB guidelines. The OMB Super Circular compliant model is valuable as the City may receive Federal or State grant funding that mandates compliance with Federal OMB regulations.

The model will include flexibility to add or delete support service and/or operating groups as changes occur and also the ability to adjust the model and the results annually for inflation, salary, and benefit increases, as well as contract rates.

We will utilize budget and organizational information, and other required information gathered from City staff to complete the work in this task. Specific discussions will be held to discuss allocation bases, services provided by indirect groups, how central overhead services are provided to and utilized by other departments, cost categories and allocation criteria, and how these will factor into the overall cost allocation methodology.

The model and methodology will produce indirect cost rates and overhead percentages. These rates will be used to develop the full hourly cost of City Staff and will be suitable for a variety of uses, including incorporation into the User Fee Study's fully burdened personnel rates, billing to CIP projects, and in the OMB Super Circular compliant CAP, to Federal grants.

Meetings: Online meetings with staff to understand structure and operations as model and allocation bases are developed. Key staff will be interviewed to best understand central overhead staffing and functions and the departments served.

Deliverables: **Willdan:** One (1) user-friendly model in Microsoft Excel format that provides both a full cost allocation plan and an OMB Super Circular compliant cost allocation plan.

Task 4: Test and Review Cost Allocation Methodology

Objective: Test and review model and results with City.

Description: The draft cost allocation plan model will be reviewed with City staff, and adjusted as necessary, to ensure that preliminary allocations provide an accurate depiction of how the central overhead costs should be borne by the operating programs and funds.

Over the past several years, we have successfully integrated online meetings by using WebEx™ as an element to our approach. This allows us to remotely guide staff through the model review and allows you the opportunity to interactively change inputs and test approaches.

Meetings: One (1) online meeting and demonstration with City Staff to review the model, and present to the City's management group for feedback.

Deliverables: **Willdan and City:** Draft cost allocation plan model review.

Task 5: Prepare and Present Draft Report

Objective: Prepare the draft cost allocation report.

Description: This task involves the draft report preparation.

The cost allocation plan's background, model methodologies, and results will be discussed; calculations and supporting data will be presented textually and in easily understood tables and provided to the City.

Meetings: One (1) meeting to present the draft report to City Staff and assist in presenting the results to the City's management group for review and feedback.

Deliverables: **Willdan:** Draft report for City review and input.

City: Review of draft report, with comments, and edits.

Task 6:	Discuss and Revise Report
Objective:	Review of draft report, cost distribution methods, and model.
Description:	<p>An in-depth review of the draft report and model will be conducted to arrive at an optimum allocation method for each expenditure type. Often, through the course of an engagement, comments usually revolve around issues of understandability; appropriate levels of enterprise funds' cost recovery, etc.; ease of calculation; and overhead costs' distribution methods.</p> <p>Our reports are structured to include both the full and OMB compliant plan, but in the course of review if a separate report is desired for each or just one of the plans, they will be split.</p> <p>Following a round of comments from City staff and Management concerning the draft report, the final report will be prepared for presentation to the Council.</p>
Meetings:	One (1) conference call with City staff to review the report with changes and revisions.
Deliverables:	Draft report, and revised draft/final report.
Task 7:	Prepare and Present Final Report and Model
Objective:	Prepare and present the final report to City Council. Educate City staff on the operation and use of the model for future modifications.
Description:	This task is the culmination of the cost allocation plan project. Based on staff comments on the draft report, Willdan will prepare the final report for presentation to Finance Director, City Manager, City Staff and City Council.
Meetings:	<p>One (1) meeting to assist the City's management group with the presentation of the results and plan to the City Council. This meeting would be held in conjunction with the presentation of the User Fee study results.</p> <p>We will also provide staff instruction on the operation and use of the model.</p>
Deliverables:	Willdan: Provide one (1) electronic PDF file copy of the final report, on USB, and models and two (2) bound copies to the City. Using Microsoft Word and Excel, an updateable electronic copy of the study and models, as well as related schedules, will also be provided on CD-ROM.

Comprehensive User Fee Study

Task 1:	Initial Document Request
Objective:	Initial due diligence; obtain study-related data.
Description:	<p>Prior to the kick-off meeting, we will obtain and review relevant documentation to further enhance our understanding of the services, fees, and rates to be studied. A written request for data will be sent to the City. Please note that Time Survey data is not part of this request and will be gathered during the on-site interviews described in Task 5.</p> <p>We will request information and documentation on current fees and fee programs, activity levels, and budget and staffing information (to the extent not already available) related specifically to programs and activities which have associated fees, and for which the City has this level of detail.</p>
Deliverables:	<p>Willdan: Submit information request to City.</p> <p>City: Provide requested data to Willdan (prior to Task 3, Kick-off Meeting/Refine Scope). As with the cost allocation plan, we will follow up with the City to confirm receipt of requested data and information and highlight data elements that are outstanding.</p>
Task 2:	Compile Inventory of Current and Potential Fees
Objective:	Willdan will identify a schedule of fees and methodology for calculating the fees.
Description:	Based on the results of the initial document request and independent research, incorporate into our model the existing fees, provided by the City, to comprise the parameters of the fee study.
Meetings:	It is possible that a conference call with the City may be necessary to discuss new fees to implement or existing fees that may no longer be required.
Deliverables:	<p>Willdan: One (1) draft list of current fees based on initial data provided (to be discussed and finalized during the kick-off call).</p> <p>City: Review completed fee schedule with comments/revisions to be discussed during the kick-off meeting.</p>

Task 3:	Kick-off Conference Call / Refine Scope
Objective:	Confirm goals and objectives for the User Fee Study. Identify and policy matters typically related to a User Fee Study, address gaps in data, and refine appropriate existing or new fee categories (based on Task 2).
Description:	<p>Verify our understanding of the City's goals, the City's cost-recovery policy for user fees, and to fill any gaps in data/information necessary for the project. It is important for the City and Willdan to identify and address any foreseeable problems and maintain open communication throughout the process.</p> <p>During this call, we will ask that the City identify a project manager who will serve as the primary contact for the project. The project manager shall have responsibility for ensuring that all available data is provided in a timely manner, thereby maintaining adherence to the project's schedule.</p>
Meetings:	One (1) project kick-off call to initiate the entire project, discuss data needs, and address policy implications. This will be held in conjunction with the kick-off for the cost allocation plan. As mentioned in the cost allocation plan work plan, we suggest combining the kick-off calls to increase efficiency.
Deliverables:	<p>Willdan: 1) Revised project scope and schedule (if needed); and 2) brief summary of policy decisions (if needed).</p> <p>City: 1) Provide further data needs; and 2) determine/introduce City's project manager.</p>
Task 4:	Develop User Fee Model
Objective:	Develop and test model.
Description:	<p>This task involves the development of the model ultimately used to calculate the fees, based on data and information gathered in previous tasks and in the Time Survey Interviews described in Task 5. To ensure that City policies are met through the imposition of the calculated fees, the model will be formatted to include appropriate costs.</p> <p>Key model inputs will include staff and allocated overhead costs per position, and relevant budget data on salaries and benefits. Most of this information will be developed during the cost allocation plan phase of this project and will be incorporated directly into the user fee model. We will request clarification and/or additional data if necessary.</p> <p>The model will build upon the cost allocation plan results, to provide an allocation of administrative and overhead costs to fee related activities and departments providing services to customers, so that fees and billable rate schedules incorporate applicable costs. Furthermore, the fees and rates charged to customers will also reflect the cost of the services being provided, to the extent possible given policy and/or political considerations.</p>
Deliverables:	Willdan: One (1) user-friendly model in Microsoft Excel format, which, when finalized, City staff can use to calculate fee changes annually, or as often as deemed appropriate by the City Council.
Task 5:	Time Survey Interviews and Information Gathering
Objective:	Meet with City staff to complete Time Surveys and understand service delivery processes and operations.
Description:	<p>In order to assist staff with the completion of the survey worksheets, we will schedule one (1.0) day of meetings with staff; however, the number of meetings needed may vary depending on the number of staff involved.</p> <p>The Willdan Team will conduct interviews with supervisors/managers, as well as other staff, as deemed appropriate and/or necessary, from each organization involved in the user fee study to determine the average time required by City staff to provide each of the services for which a fee is collected.</p> <p>The fee model is designed so that full cost recovery fees are calculated immediately upon input of staff time. These full costs are also compared to current cost recovery levels. This will allow Willdan and City staff to conclude with a final meeting to review the draft full cost recovery fees and adjust any times as necessary once all information has been compiled and input into the fee model. We will schedule the interviews with staff to minimize any disruption to their normal workflow.</p>
Meetings:	One (1) business day of meetings/staff interviews. Depending upon circumstances and availability, we may discuss the option with City Staff of conducting these meetings via WebEx or Zoom.
Deliverables:	Willdan and City: Time surveys and draft full cost recovery fees.

Task 6:	Data Analysis and Final User Fee Schedule
Objective:	Incorporate information obtained from on-site surveys to fully develop model, calculate the full cost of service and compare full cost to current level of cost recovery.
Description:	<p>We will update the model, based on information received during the on-site surveys, to generate a comprehensive user fee schedule. In addition, it is very common that a supplemental data request may be necessary, based on new fees identified that the City is not currently collecting. Where appropriate, we will suggest and discuss with staff alternate approaches to existing fee programs (i.e., building fees) and suggest potential areas where fees could be collected where they are not currently.</p> <p>We will calculate and present the full cost recovery level for fees, both current and projected under the new calculated fees, and revenue projections, given certain assumptions about the levels of subsidy for different fees.</p> <p>Current levels of cost recovery will be compared to actual full costs calculated during the course of this study. Cost will be calculated at reasonable activity levels and include all appropriate direct and indirect costs and overhead. We will review fee programs for compliance with Propositions 218 and 26 in developing the fee schedule, we will make recommendations for new fees where appropriate, based on our experience with other cities. Some areas for new fees may be due to changes in law (legalized cannabis), or for activities that the City finds itself performing regularly, but for which no fee is collected.</p> <p>The model will include provision for inflationary adjustments for appropriate costs, i.e., personnel and/or contractor rates associated with fee-based activities.</p> <p>We will also evaluate deposit-based fees for recommended improvements, deposit levels, or other suitable structures.</p> <p>The user fee data analysis and model development may take three (3) to four (4) weeks with frequent correspondence with City staff to discuss current cost recovery amounts, necessary to recover full cost and frequency activity.</p>
Meetings:	One (1) meeting, as necessary, to gather additional input, complete analysis and finalize fee schedule. Please see the note in Task 5 regarding in-person meetings.
Deliverables:	Final user fee model for City Council presentation and discussion.
Task 7:	Common Fees Comparison
Objective:	Examine selected user fees charged by up to five (5) comparable cities in Stanislaus County, or jurisdictions that are similar to the City of Hughson. Where practical, we will utilize the same comparisons from the previous study for continuity and consistency.
Description:	<p>We will access and use our knowledge of other jurisdictions to benchmark the City's five (5) most common fees or highest yielding fees with comparable jurisdictions agreed.</p> <p>Fee schedules are rarely readily or directly comparable from agency to agency due to definitional and operational differences. For example, a grading permit in one jurisdiction may include the plan check service, while the same permit in another jurisdiction may not, resulting in similar sounding services with widely varying costs. For this reason, where possible, Willdan will develop comparisons for prototype projects that include applicable fees (i.e., compare the fee burden for a standard residential home, or a 5,000 sq. ft. commercial building) or take a selection of the City's most commonly used and/or highest yielding fees.</p> <p>The survey will contain the following, a comparison of common or similar fees and charges used by the City and other jurisdictions; current and proposed fees and charges unique to the City of Hughson; fees and charges used by other public entities not currently used in the City; and If possible, identify characteristics and processes unique to the City that account for significant variances in fees and charges used by other jurisdictions.</p>
Deliverables:	Willdan: Recommendations provided in Task 8 will incorporate the data gathered during our examination.
Task 8:	Prepare and Present Draft Report
Objective:	Prepare draft report.
Description:	This task involves the preparation of the draft report that discusses the study's background, the methodologies utilized in the study, and the results and presentation to various stakeholder groups. As noted below, meetings may occur during this or the next task as appropriate. The calculations used to generate the user fee study will be included textually, as well as in easy-to-understand tables.

Individual fee summaries by department and a comprehensive fee schedule will be included.

The draft report will include the following:

- Key results and findings;
- Basic descriptions of each service;
- Projections of potential fee revenue;
- Calculation of full cost of services, with costs broken down graphically into indirect and direct components, with a graphic display of the level of cost recovery;
- Current fees, as well as fee recommendations with associated levels of cost recovery;
- The full cost of each service and current cost recovery levels;
- Fee comparisons with other cities from Task 7;
- As appropriate, recommend alternative methodologies for building permit fee calculation; and
- Summary and recommendations.

The objective of the report is to communicate the recommendation of appropriate fees, which include the appropriate subsidy percentage for those fees where full cost recovery may be unrealistic.

Meetings: One (1) meeting with City staff and the City's management group, to present draft results, address questions and receive feedback.

Deliverables: **Willdan:** Draft report for City review and comment.

City: Review of draft report, with comments and edits.

Task 9: Revise Draft Report/Determine Cost Recovery Levels for Recommended Adoption

Objective: Review of draft report and fee model.

Description: The goal of this task is to conduct an in-depth review of the draft report and model, incorporate feedback from Task 8, and changes as a result of previous discussions, and arrive at an optimum fee structure. Often through the course of an engagement, City staff will volunteer insightful likes and dislikes regarding the existing fee structure. We listen to this feedback carefully because your staff members know the community best. Comments usually revolve around issues of:

- Understandability;
- Fairness to applicants;
- Ease of calculation;
- Appropriate levels of cost recovery; and
- Full cost recovery hourly rates.

When adjusting fee recovery levels, we believe it is important to address these concerns.

Following one (1) round of comments and feedback from City staff on the draft report, we will prepare the final report for presentation to the City Council.

Meetings: One (1) online demonstration (WebEx) to review the report and model, with any revisions.

Deliverables: Draft report, revised draft /final report.

Task 10: Prepare and Present Final Report/Instruct Staff on Model

Objective: Prepare and present final report to City Council. Instruct staff on the operation and use of the model for future modifications.

Description: This task is the culmination of the entire project. Based on staff comments received regarding the draft report, we will prepare the final report for presentation.

Meetings: One (1) meeting with the City Council to present the results and adopt the updated fee schedule. One (1) meeting with City Staff to provide instruction on the operation and use of the model on the same day, during regular business hours. We will also consult with the City as necessary to address questions related to the User Fee Study, or to defend the Study as the result of a challenge.

Deliverables: Provide one (1) electronic PDF file copy of the final report, on USB, and models and two (2) bound copies to the City. Using Microsoft Word and Excel, an updateable electronic copy of the study and models, as well as related schedules, will also be provided on CD/RO

Optional Development Impact Fee Review

Willdan will work with the City to update its impact fees consistent with the Mitigation Fee Act and other relevant laws.

Task 1:	Review Existing Impact Fee Program Study
	The City's Development Impact Fee Nexus Study was prepared in 2006 the firm of Bartle Wells. Willdan will review the 2006 study, and the City's annual and five-year AB1600 reports. Once Willdan has reviewed the documents it will meet with the City to discuss them and any other concerns.
Task 2:	Review Data Sources
	Willdan will review the data sources used for preparation of the 2006 report, including demographics and cost estimates. Willdan will make recommendations for changes in data, if appropriate.
Task 3:	Review Methodology
	Willdan will review the methodology of the 2006 report, including the determination of nexus, allocation to new development and which calculation methods used to arrive at fees in each category.
Task 4:	Meet with Staff to Discuss Findings and Recommended Changes
	Based on the review of the items identified in Task 1 through Task 3, Willdan will attend a meeting with City of staff to discuss findings.
Task 5:	Provide Written Review of Current Fee Program and Recommended Updates and/or Additional Fee Categories to Implement
	Based on previous tasks provide a written review of the existing impact fee program, and any recommended changes to the fee methodology, or additional impact fee categories to examine further.
Task 6:	Attend Meeting
	Attend a meeting with the City on the findings of Willdan's analysis and discuss next steps.

City Staff Support

To complete our tasks, we will need the cooperation of City staff. We suggest that the City of Hughson assign a key individual to represent the City as the project manager who can function as our primary contact. We anticipate that the City's project manager will:

- 1) Coordinate responses to requests for information;
- 2) Coordinate review of work products; and
- 3) Help resolve policy issues.

Willdan will endeavor to minimize the impact on City staff in the completion of this project. We will ask for responses to initial information requests in a timely manner. If there are delays on the part of the City, we will contact the City's project manager to steer the project back on track. We will keep the City's project manager informed of data or feedback we need to keep the project on schedule.

EXHIBIT "B"
APPROVED FEE SCHEDULE

[to be attached]

f. Proposed Fees

Fixed Fees

Willdan Financial Services ("Willdan") proposes a **fixed fee of \$36,830** for the Comprehensive User Fee Study and Cost Allocation Plan engagement.

Willdan Financial Services ("Willdan") proposes a **fixed fee of \$53,510** for the Comprehensive User Fee Study, Cost Allocation Plan, and optional Development Impact Fee Review engagement.

Cost Allocation Plan

Willdan Financial Services proposes a **fixed fee of \$9,945** for the Full Cost Allocation Plan.

City of Hughson Cost Allocation Plan							
Fee Proposal							
	C. Fisher Principal-in- Charge	T. Thrasher Project Manager	P. Patel Senior Analyst	S. Labitan Analytical Support	R. Quaid QA/Tech Advisor	Total	
	\$ 250	\$ 210	\$ 135	\$ 125	\$ 210	Hours	Cost
Scope of Services							
Task 1: Initial Document Request	-	-	1.0	-	-	1.0	\$ 135
Task 2: Kick-off /Refine Scope	-	1.0	1.0	1.0	-	3.0	470
Task 3: Gather Staffing Information & Develop CAP Model	1.0	2.0	8.0	8.0	1.0	20.0	2,960
Task 4: Test and Review Cost Allocation Methodology	0.5	2.0	5.0	2.0	1.0	10.5	1,680
Task 5: Prepare and Present Draft Report	0.5	2.0	4.0	6.0	1.0	13.5	2,045
Task 6: Discuss and Revise Report	0.5	3.0	3.0	2.0	-	8.5	1,410
Task 7: Prepare and Present Final Report/Instruct Staff on Model	-	4.0	3.0	-	-	7.0	1,245
Total – Cost Allocation Plan	2.5	14.0	25.0	19.0	3.0	63.5	\$ 9,945

Comprehensive User Fee Study

Willdan Financial Services proposes a **fixed fee of \$26,885** for the Comprehensive User Fee Study.

City of Hughson Comprehensive User Fee Study							
Fee Proposal							
	C. Fisher Principal-in- Charge	T. Thrasher Tech Project Manager	P. Patel Senior Analyst	S. Labitan Analytical Support	R. Quaid QA/Tech Advisor	Total	
	\$ 250	\$ 210	\$ 135	\$ 125	\$ 210	Hours	Cost
Scope of Services							
Task 1: Initial Document Request	-	-	1.0	-	-	1.0	\$ 135
Task 2: Compile Inventory of Current and Potential Fees	-	-	1.0	1.0	-	2.0	260
Task 3: Kick-off /Refine Scope	-	1.0	1.0	1.0	-	3.0	470
Task 4: Develop User Fee/ Model, Incorporate Overhead	1.0	3.0	8.0	8.0	1.0	21.0	3,170
Task 5: Time Survey Interviews and Information Gathering	-	8.0	10.0	8.0	-	26.0	4,030
Task 6: Data Analysis and Final Fee and Rate Schedule	0.5	6.0	32.0	22.0	1.0	61.5	8,665
Task 7: Common Fees Comparison	0.5	1.0	4.0	12.0	-	17.5	2,375
Task 8: Prepare and Present Draft Report	0.5	2.0	6.0	8.0	1.0	17.5	2,565
Task 9: Revise Draft/Determine Cost Recovery Levels	0.5	3.0	12.0	8.0	-	23.5	3,375
Task 10: Prepare and Present Final Report/Train Staff on Model	-	5.0	4.0	2.0	-	11.0	1,840
Total – User Fee Study	3.0	29.0	79.0	70.0	3.0	184.0	\$ 26,885

Optional Development Impact Fee Review

Willdan Financial Services proposes a **fixed fee of \$16,680** for the Development Impact Fee Review.

City of Hughson							
Optional Development Impact Fee Review							
Fee Proposal							
		J. Edison	C. Villarreal	<u>Total</u>			
		Project Manager	Lead Analyst				
		\$	240	\$	210	Hours	Cost
Scope of Services							
Task 1:	Review Existing Impact Fee Program Study		4.0		8.0	12.0	\$ 2,640
Task 2:	Review Data Sources		4.0		8.0	12.0	2,640
Task 3:	Review Methodology		2.0		12.0	14.0	3,000
Task 4:	Meet with Staff to Discuss Findings and Recommended Changes		6.0		6.0	12.0	2,700
Task 5:	Provide Written Review of Current Fee Program and Recommended Updates		2.0		12.0	14.0	3,000
Task 6:	Attend Meeting		6.0		6.0	12.0	2,700
Total – Development Impact Fee Review			24.0		52.0	76.0	\$ 16,680

Development Impact Fee Review Notes:

- The fee denoted above includes attendance at one in-person meetings with City staff, stakeholders, and City Council.
- Attendance at more than one meeting will be billed at the per meeting fee. Attendance at additional on-site meetings or presentations will be \$2,000 per meeting; attendance at additional remote meetings or presentations will be \$1,000 per meeting.
- Comprehensive written responses to resolve conflicts or preparation of more than one set of major revisions to the draft report, will be classified as Additional Services, and may require additional billing at hourly rates stated in the hourly rate schedule listed below. These additional fees shall only take effect once the fixed fee stated above has been exceeded.

Notes

- Our fee includes all direct expenses associated with the project.
- We will invoice the City monthly based on percentage of project completed.
- Additional services may be authorized by the City and will be billed at our then-current hourly overhead consulting rates.
- City shall reimburse Willdan for any costs Willdan incurs, including without limitation, copying costs, digitizing costs, travel expenses, employee time and attorneys' fees, to respond to the legal process of any governmental agency relating to City or relating to the project. Reimbursement shall be at Willdan 's rates in effect at the time of such response.
- The cost of preparing the user fee study can be included in the resulting new user fee schedule. Therefore, over time, the City can recover the initial outlay of funds that was required to complete the studies.
- Willdan will rely on the validity and accuracy of the City's data and documentation to complete the analysis. Willdan will rely on the data as being accurate without performing an independent verification of accuracy and will not be responsible for any errors that result from inaccurate data provided by the client or a third party.

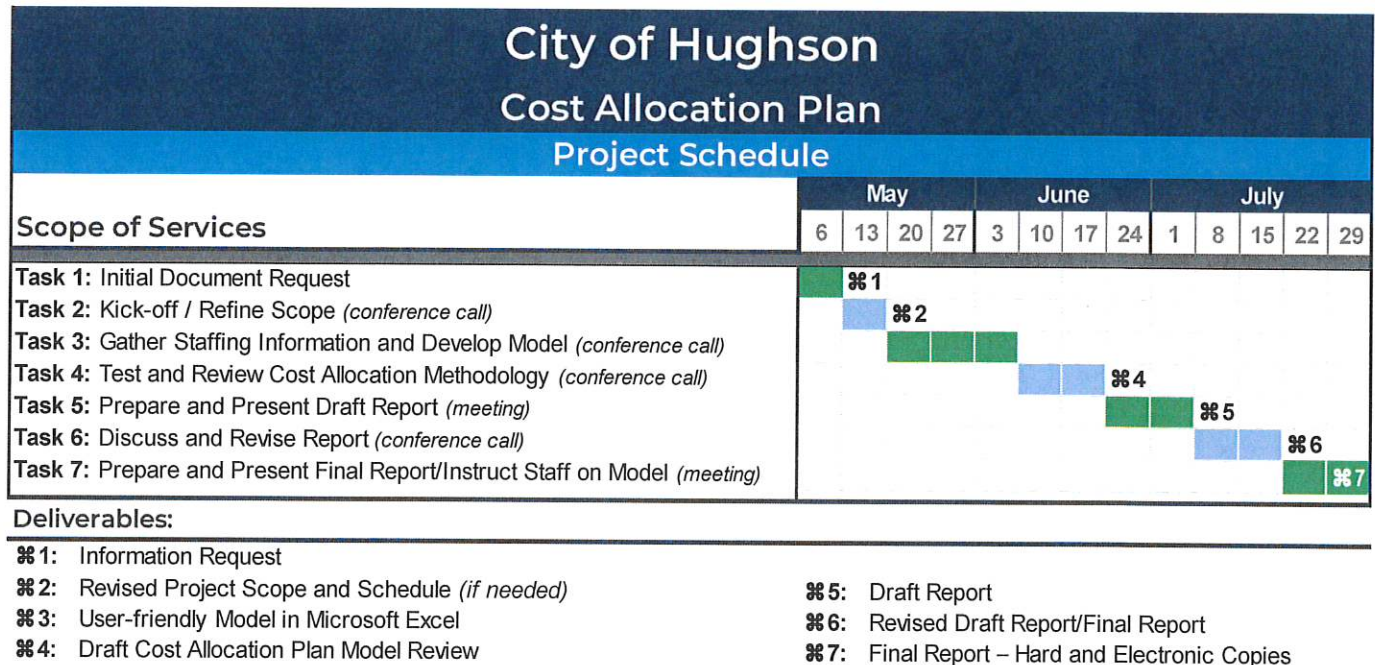
EXHIBIT "C"
SCHEDULE OF WORK

[to be attached]

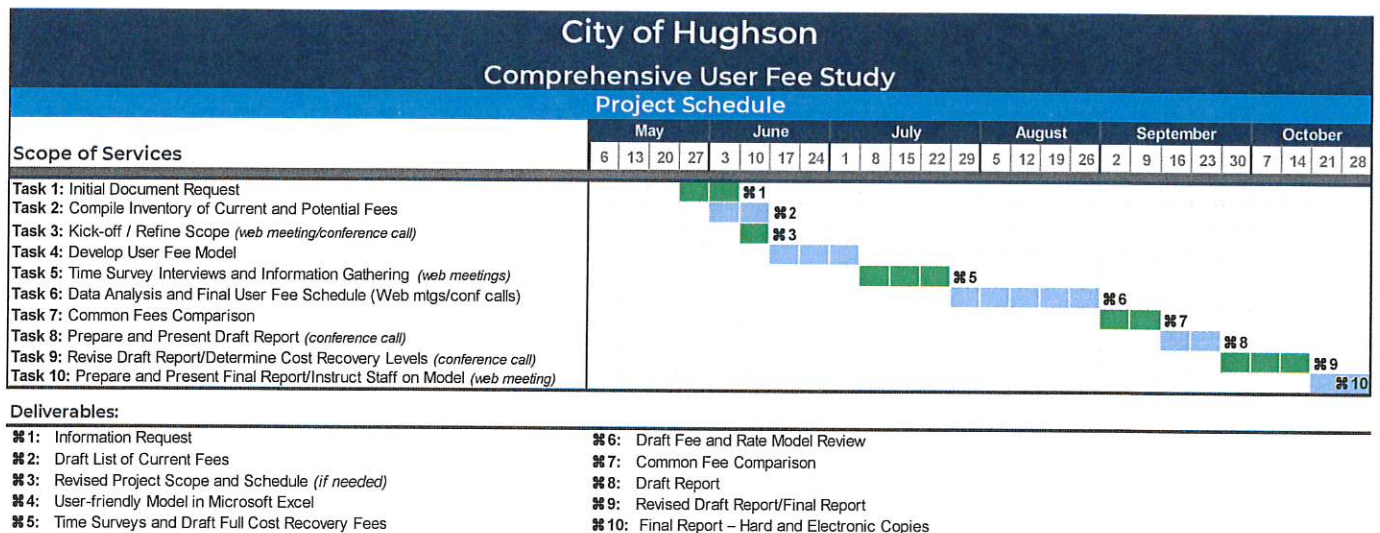
Project Schedules

Willdan understands time is of the essence for the City of Hughson to begin this engagement. The schedules can only be met with the prompt cooperation of City staff. Delays in responding to our requests for data, policy guidance, clarifications, other information and review will likely result in corresponding delays to the project schedule. If that is the case, we will notify the City immediately of the possible impact on the schedule. It is also important to note that there are statutory requirements for a 60-day waiting period for the implementation of fees related to development, after they've been adopted by the City Council.

Cost Allocation Plan



Comprehensive User Fee Study



Optional Development Impact Fee Review

City of Hughson								
Development Impact Fee Review								
Project Schedule								
Scope of Services	May				June			
	6	13	20	27	3	10	24	24
Task 1: Review Existing Impact Fee Program Study								
Task 2: Review Data Sources								
Task 3: Review Methodology								
Task 4: Meet with Staff to Discuss Findings and Recommended Changes								
Task 5: Provide Written Review of Current Fee Program								
Task 6: Attend Meeting								

Deliverables:

⌘1: Written Review of Current Fee Program and Recommended Updates

**CITY COUNCIL
CITY OF HUGHSON
RESOLUTION NO. 2024-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN
FINANCIAL SERVICES FOR THE DEVELOPMENT OF A USER FEE STUDY, COST
ALLOCATION PLAN, AND A DEVELOPMENT IMPACT FEE STUDY**

WHEREAS, on June 27, 2022, the Hughson City Council approved a project list for the American Rescue Plan Act (ARPA) funds that were received by the City of Hughson; and

WHEREAS, included in the list of approved projects was \$75,000 set aside to hire a consultant to develop a master fee schedule and cost allocation plan; and

WHEREAS, the City conducted a Request for Proposal process to identify and select a Consultant; and

WHEREAS, the City will use the services of Willdan Financial Services to develop a User Fee Study, Cost Allocation Plan, and develop a Development Impact Fee Study; and

WHEREAS, Willdan Financial Services has a depth of experience of the staff who will be providing the services as well as positive references provided from other cities who hired Willdan to provide similar services for them; and

WHEREAS, the scope of services includes cost allocation plan methodology, comprehensive user fee study methodology, and development impact fee review methodology; compliance with legal requirements and all services rendered, not to exceed \$58,861 for the term of this Agreement; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hughson does hereby approve the Professional Services Agreement with Willdan Financial Services in an amount not to exceed \$58,861 for preparation of a User Fee Study, Cost Allocation Plan, and a Development Impact Fee Study, attached hereto as Attachment "A" and authorizes the City Manager to sign the agreement, inclusive of any final edits by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Hughson at its regularly scheduled meeting on this 8th day of April 2024 by the following roll call vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

GEORGE CARR, Mayor

ATTEST:

ASHTON GOSE, City Clerk



Date: March 26, 2024

To: Clerk to the County Boards of Supervisors for the San Joaquin Valley
Clerk to City Council Members of incorporated cities in the San Joaquin Valley
County Public Health Officers for the counties in the San Joaquin Valley

From: Brian Clements, Director of Permit Services

RE: Annual Air Toxics Report for 2023

As required by State Law, the attached Annual Air Toxics Report for 2023 is being distributed to city and county officials throughout the San Joaquin Valley. A copy of this report is being made available through each County and City Clerk, as well as to all County Public Health Officers in the San Joaquin Valley.

This report describes emissions of toxic air contaminants from Valley facilities, and the actions taken by the District and affected facilities to reduce those emissions. The District is providing you with this report to keep you informed of air toxics issues that may affect you and the communities you serve. An electronic version of this report may be found at:

http://www.valleyair.org/busind/pto/air_toxics_annual_reports.htm

Should you or your staff have any questions regarding this report or the District's air toxics programs, please call Seth Lane, Program Manager, at (559) 230-5817.

Sincerely,



Brian Clements
Director of Permit Services

Attachment: Annual Air Toxics Report for 2023

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585



San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT®

AIR TOXICS

2023 Annual Report

March 21, 2024

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD

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Supervisor, Stanislaus County

VICE CHAIR: DEBORAH LEWIS
Councilmember, City of Los Banos

MEMBERS:

DAVID COUCH
Supervisor, Kern County

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Supervisor, San Joaquin County

BOBBY MACAULAY Supervisor,
Madera County

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Supervisor, Kings County

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Appointed by Governor

AMY SHUKLIAN
Supervisor, Tulare County

LLOYD PAREIRA
Supervisor, Merced County

LIZ WYNN
Councilmember, City of Visalia

ALVARO PRECIADO
Mayor, City of Avenal

EXECUTIVE DIRECTOR/AIR POLLUTION CONTROL OFFICER:

SAMIR SHEIKH

Executive Summary

The San Joaquin Valley Air Pollution Control District (District) is a public health agency whose mission is to improve the health and quality of life for all Valley residents through efficient, effective and entrepreneurial air quality-management strategies. The District has spent nearly three decades implementing and integrating a wide variety of methods reducing toxic air contaminant emissions in the San Joaquin Valley. Based on the latest California Toxics Inventory (CTI) available from CARB, 14% of all air toxics in the Valley are now emitted from stationary sources of pollution under the direct control and regulation of the District, while 52% comes from mobile sources such as cars and trucks, and the remaining 34% is emitted from area-wide sources like road dust, paints, solvents, and other consumer products. Mobile and area-wide sources of emissions are generally under the regulatory authority of the State of California and the federal government.

The District's integrated approach to addressing and reducing risks from toxic air contaminants has taken three main paths: reducing air toxic emissions from existing stationary sources of emissions; preventing the creation of new or modified stationary sources of significant risk; and finding creative and cooperative methods of reducing risk from emissions sources that the District does not typically regulate. This approach has resulted in dramatic reductions in emissions of air toxics from sources in the San Joaquin Valley.

Under Assembly Bill (AB) 2588 (Air Toxics Hot Spots Information and Assessment Act), the District works with facilities to quantify emissions of air toxics, determines the health risk caused by those emissions, reports emissions and any significant risks through written public reports and neighborhood public meetings, and as required, takes steps to reduce such risks. As a result of these ongoing efforts, and the resulting emissions reductions, no Valley facility currently poses a significant risk under this program.

The State's Hot Spots Act, however, is only one part of the District's comprehensive program to regulate air toxics. To achieve maximum efficiency and effectiveness, the District operates an integrated air toxics program that harmonizes local, state, and federal mandates wherever possible.

A number of regulations have also been adopted by the District, the state, and the federal government, and implemented through the District's integrated air toxics program, to directly reduce existing emissions from specific types of facilities and sources of air toxic contaminants. For example, the toxic air contaminant emissions from emissions sources like dry cleaners, chrome platers, gas stations, and diesel internal combustion engines have drastically decreased in the San Joaquin Valley since the implementation of the District's air toxic program.

In addition to the above efforts to minimize emissions, the District also performs comprehensive and conservative toxic emission evaluations and air dispersion modeling before issuing permits to new and modified stationary sources of emissions. This assures the District minimizes the increase those sources add to the existing toxic load and any

potentially significant public health impacts associated with the release of those airborne toxic emissions.

Under its integrated air toxics program, the District has also implemented numerous methods of reducing emissions from mobile sources and other sources of emissions that the District does not have the authority to regulate. For instance, the District developed the first Indirect Source Review rule in the nation, designed to reduce emissions from construction equipment and mobile sources associated with new land use development projects. The District also provides assistance and guidance to the cities and counties in the San Joaquin Valley so that they can be assured that land-use decisions are based on a full understanding of the potential for increasing emissions of air toxics, and new air toxics risks can be avoided. One of the most effective methods of reducing emissions of air toxics from emissions sources not directly regulated by the District has been the incentive grant programs that have leveraged billions of dollars in reducing emissions from diesel internal combustion engines on trucks, tractors and agricultural irrigation operations.

This 2023 Annual Air Toxics Report describes the District's ongoing efforts to regulate and minimize air toxic emissions. An electronic version of this report may be found at: http://www.valleyair.org/busind/pto/air_toxics_annual_reports.htm.

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Summary of Toxic Air Contaminants in the San Joaquin Valley

The United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have identified over 1,700 substances that are emitted into the air that may affect human health. Some of these substances are considered to be carcinogens, while others are known to have short-term acute or long-term chronic health impacts. As part of ongoing efforts to identify and assess potential health risks to the public, the District has collected and compiled air toxics emissions data from industrial and commercial sources of air pollution throughout the Valley. The State has developed similar inventories for mobile sources of air pollution. These District and State inventories have been combined into the CARB's California Toxic Inventory (CTI), which provides emission estimates available for hazardous air pollutants of concern from all sources. A summary of the latest available CTI data for key pollutants is presented in Table 1 below.

Table 1. Primary San Joaquin Valley Hazardous Air Pollutant Emissions

Pollutant	Inventory (tons/yr)
Acetaldehyde	3,512
Diesel Particulate Matter	2,520
Formaldehyde	2,318
Benzene	1,020
Perchloroethylene	448
1,3-Butadiene	269
Methylene Chloride	247
p-Dichlorobenzene	130
Carbon Tetrachloride	0
Chromium, Hexavalent	0

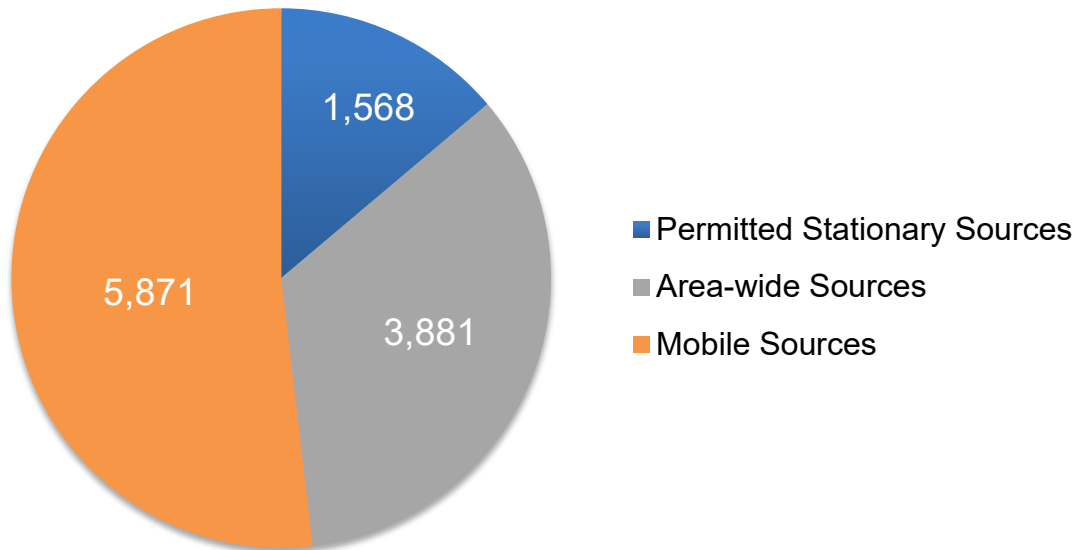
A more detailed summary of CTI emission estimates for the San Joaquin Valley is provided in Table C1 in Appendix C.

Toxic Air Contaminants (TACs), otherwise known as air toxics, are emitted from mobile sources (e.g., cars, trucks, buses, tractors, etc.), which are primarily regulated by the State and EPA; area sources (e.g., consumer products), which are regulated by the State, EPA, and the District; and from stationary sources regulated primarily by the District. Figure 1 below shows a comparison of mobile, area, and stationary source emissions of hazardous air pollutants in the San Joaquin Valley. Of these sources, approximately 86% of hazardous air pollutant emissions occurring in the Valley are from mobile sources and area sources.

Stationary sources include point source emissions provided by facility operators and/or air districts and aggregated point source emissions estimated by CARB and/or air districts.

This stationary source information is included in the CTI pursuant to the Air Toxics "Hot Spots" Act of 1987 (AB 2588). Area-wide sources are those that emit over an unspecified area. This could include paved roads, unpaved roads, or consumer product emitting sources.

Figure 1. Air Toxics Emissions (tons/year) in the San Joaquin Valley (per CARB's CTI)



California Air Toxics Assessment

The California Air Toxics Assessment (CATA)¹ is a tool that uses detailed emission inventory data from CARB, meteorological data, and an integrated modeling approach to assess health risk for air basins located throughout California. Based on risk data collected between 2012 and 2017, CATA shows an average percent reduction in cancer risk of 55% over that time period in the San Joaquin Valley Air Basin, with the majority of the cancer risk reduction from diesel particulate matter (DPM) emissions. The vast majority of the remaining cancer risk in the Valley is coming from mobile DPM emission sources under federal and state jurisdiction.

Most of the reductions seen across the air basins are attributed to reductions in on-road mobile emissions in the past years due to implementation of the state's on-road truck and bus rule and other programs. Note, the 2017 data includes wildfire emissions, which are a large contributor of certain TACs like formaldehyde and acetaldehyde but were not available for the 2012 data.

Prior to the 2017 CATA study, an initial statewide air toxics study was conducted, which covered a 2012 base year. For both years, DPM sources were the major contributor to the overall risk, and the main driver of the risk reductions from 2012 to 2017. Table 2

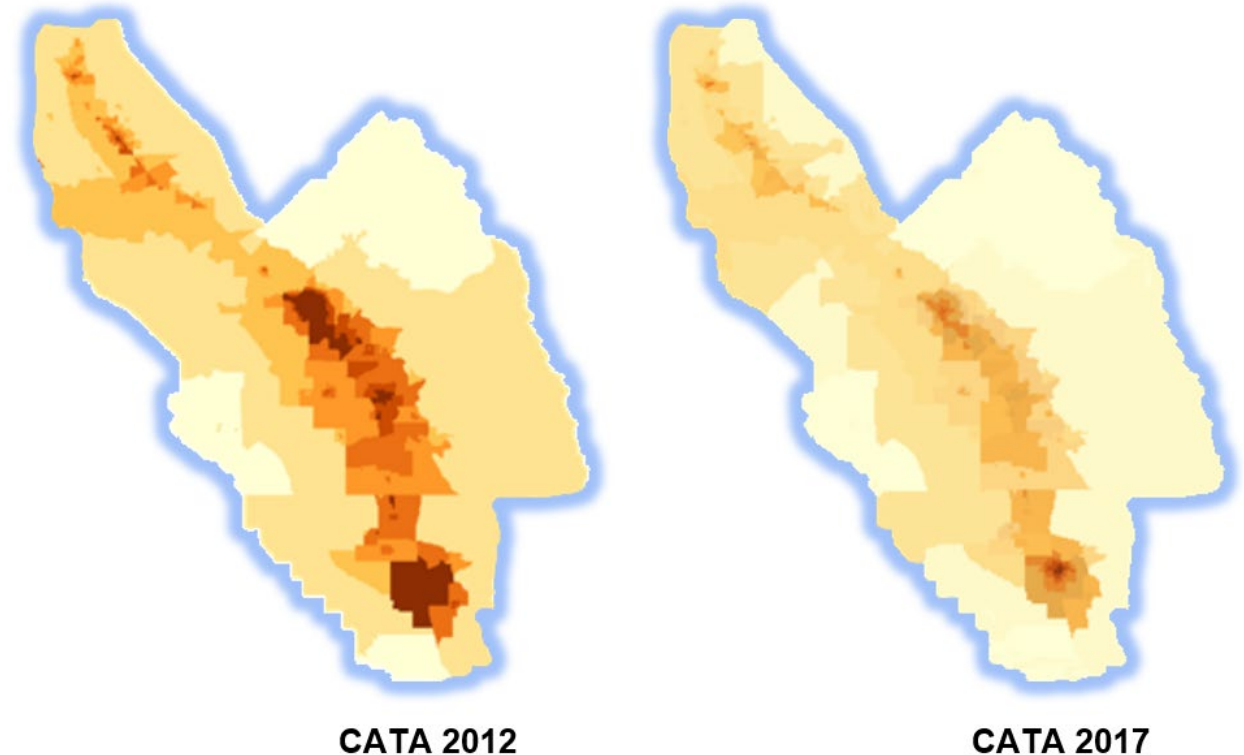
¹ <https://california-air-toxics-assessment-californiaarb.hub.arcgis.com/>

below presents the population-weighted averages of census tract total cancer risks in 2017 and 2012 in the six major air basins in California (from CARB's CATA Technical Report, 2023).² Note that the total population in the six modeling domains where exposure and cancer risk are estimated is 36,727,572, which accounted for around 99% of the total population in California.

Table 2. Population-Weighted Total Air Toxics Cancer Risk in the Six Major Air Basins (per CARB's CATA Technical Report, 2023)

Air Basin	2012 Average Risk (chances per million)	2017 Average Risk (chances per million)	Risk Change from 2012 (%)
Sacramento Valley	597	356	-40.3
San Joaquin Valley	1,063	474	-55.4
San Diego	803	486	-39.5
Bay Area	871	510	-41.4
Imperial	806	671	-16.7
South Coast	1,244	830	-33.3

Figure 2. Cancer Risk Trends in the San Joaquin Valley (per CARB's CATA)



² <https://california-air-toxics-assessment-californiaarb.hub.arcgis.com/documents/9ccea94a930314324a4101b5b1a549b7c/explore>

As shown in Figures 3 and 4 below, for the 2017 CATA year, DPM remained the primary driver for cancer risk in the Valley, with on-road mobile being the highest contributing source.

Figure 3. Cancer Risk Contributions by Air Toxics in SJV (per CARB's CATA Technical Report, 2023)

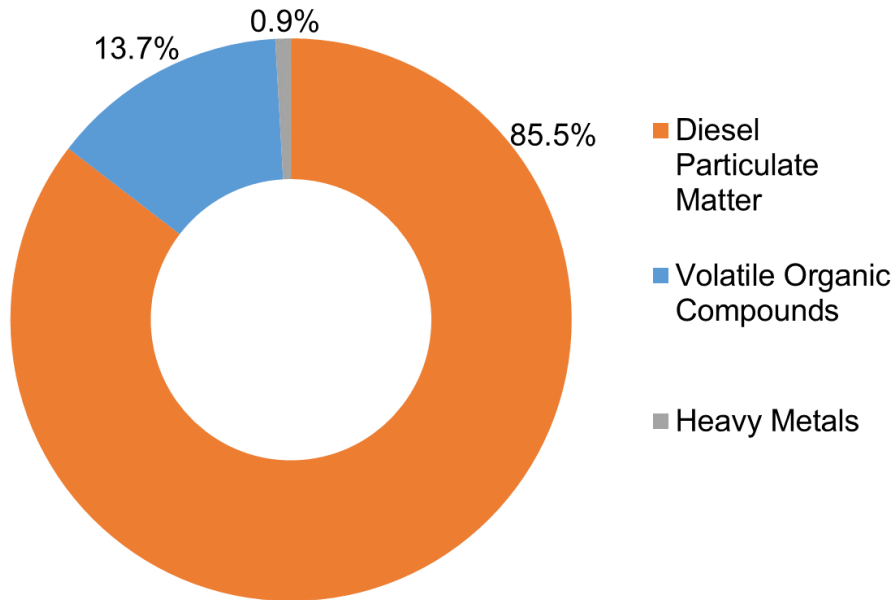
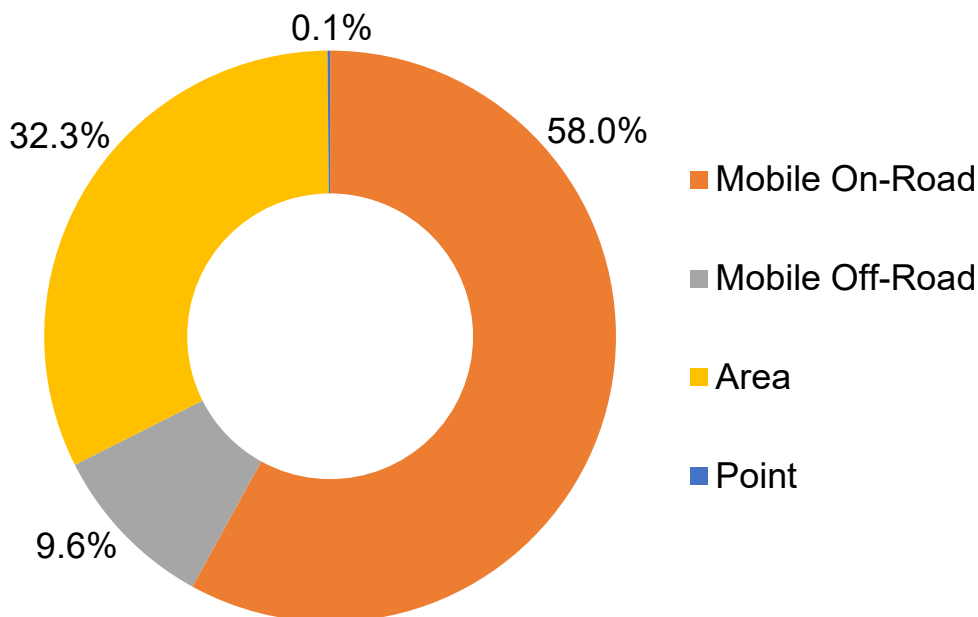


Figure 4. Diesel Particulate Matter (DPM) Population-Weighted Cancer Risk by Emission Source in SJV (per CARB's CATA Technical Report, 2023)



Note, in Figure 4 above, the emission source categories include the following specific emission activities:

- Mobile On-Road includes diesel trucks and buses,
- Mobile Off-Road includes diesel locomotives, transport refrigeration units, commercial harbor craft,
- Area Sources include mobile off-road equipment for agricultural-related activities, construction-related activities, forklifts, gen-sets, air compressors, etc.,
- Point Sources include stationary sources subject to AB 2588.

Federal EPA Air Toxics Screening Assessment

The federal Environmental Protection Agency (EPA) Air Toxics Screening Assessment (AirToxScreen), formerly known as The National Air Toxics Assessment (NATA), is a screening tool to provide communities with information about health risks from air toxics. AirToxScreen is part of EPA's approach to air toxics that provides updated data and risk analyses on an annual basis, helping state, local and tribal air agencies, EPA, and the public more easily identify existing and emerging air toxics issues. State and air district toxic emissions inventory data are compiled to create a national emissions inventory of air toxic sources, which is used by EPA to generate the AirToxScreen Mapping Tool. The AirToxScreen Mapping Tool can be found at:

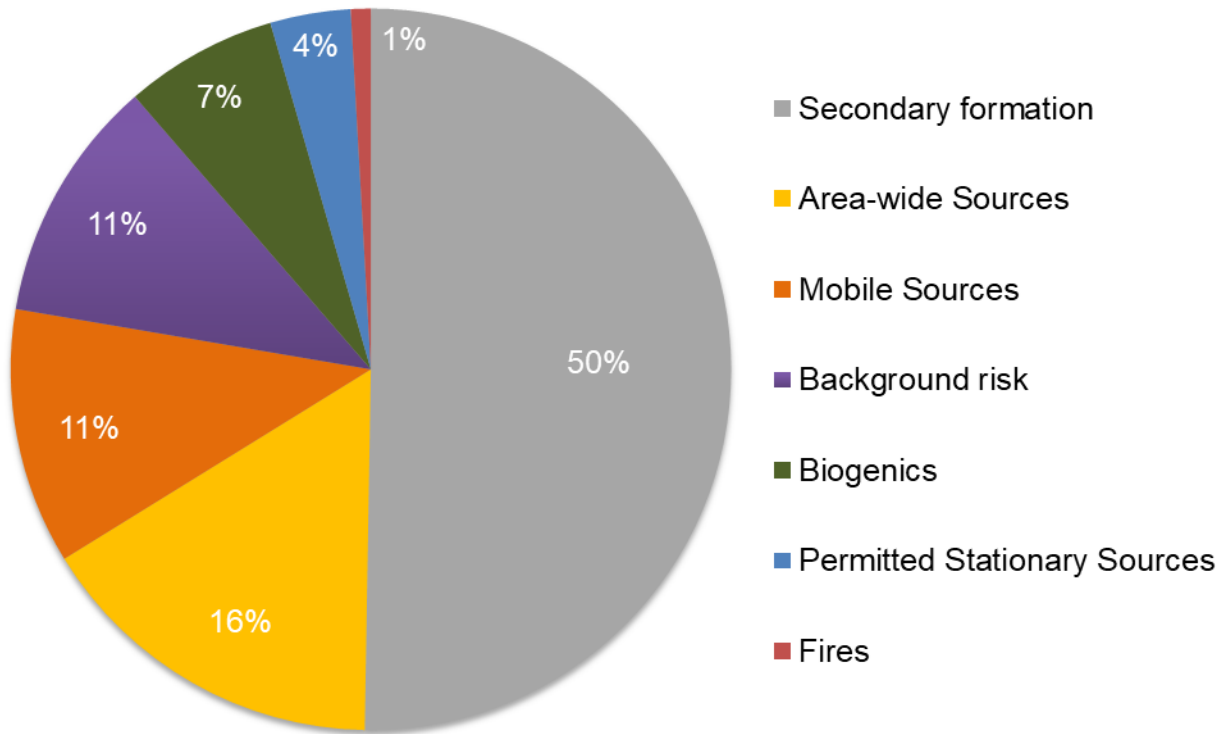
<https://www.epa.gov/AirToxScreen/airtoxscreen-mapping-tool>.

EPA's AirToxScreen calculates public health risk using a four step process. First, national emission inventories are compiled to identify all types and quantities of air toxic sources. Secondly and thirdly, those emissions are input into photochemical and steady-state air dispersion models to estimate long-term ambient air concentrations and population exposures across the United States. Finally, exposed concentrations are multiplied by corresponding air toxic's unit risk factors to estimate cancer risk and the public health impacts from breathing air toxics.

AirToxScreen estimates cancer risk from a variety of sources including secondary formation, background risk, area-wide sources, mobile sources, biogenics, fires, and permitted stationary sources. Secondary formation are the processes where emissions react in the atmosphere to form other substances. Background concentrations are emissions that exist in the air and accumulate from non-specific naturally occurring or distant sources. Biogenic emissions come from specific natural sources, like plants and trees. Fire emissions come from prescribed wildfires and agricultural burning. AirToxScreen estimated the cancer risk associated with common sources and toxic pollutants emitted during the 2019 inventory data year. Based on those emissions, the 2019 AirToxScreen identifies 25 elevated cancer risk areas in the country as having a cancer risk score of greater than 100 in a million. None of the 25 elevated cancer risk areas are located within the San Joaquin Valley. In the Valley, the average cancer risk from air toxic emissions is 28 in a million, compared to the national average of 30 in a million. As shown in Figure 5 below, about 77% of the total cancer risk in the San Joaquin

Valley came from secondary formation, area-wide, and mobile source emissions in 2019, while only 4% of the total cancer risk came from stationary source emissions.

Figure 5. Cancer Risk by Source in the San Joaquin Valley (per EPA's AirToxScreen)



Of the cancer risk data from AirToxScreen, exposure to formaldehyde is responsible for 60% of the total cancer risk in the San Joaquin Valley. Other chemicals contributing to the calculated cancer risk include carbon tetrachloride (11%), benzene (7.2%), acetaldehyde (6.9%), naphthalene (3.2%), and 1,3-butadiene (2.2%). It is important to note, diesel particulate matter (DPM) emissions are not included as an air toxic in EPA's AirToxScreen cancer risk data.

Assembly Bill (AB) 617 - Community Air Protection Program

The implementation of AB 617 (C. Garcia, 2017) has brought additional clean air resources and strategies to Valley communities. Despite the significant reductions in emissions of criteria and toxic air pollutants that have already been achieved across the Valley, there remain many Valley communities that are disproportionately burdened by the cumulative effects of various environmental and socioeconomic factors. AB 617 requires the expedited implementation of advanced control technologies for existing stationary source facilities; development and implementation of community-specific air quality monitoring networks; development and implementation of community emission reduction programs; enhanced reporting of facility emissions inventory data, and the creation of publically

accessible online clearinghouses of emission control technology determinations. Resources available through this legislation have allowed the District and Community Steering Committees, through a comprehensive public outreach and community engagement process, to develop programs for community protection and develop a robust plan for reducing local exposure to fine particulate matter and toxic air contaminants in Valley communities.

Criteria Air Pollutant and Toxics Air Contaminants Reporting Regulation

AB 617 requires CARB to develop a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants for certain categories of stationary sources. The bill requires stationary sources to report their annual emissions of criteria air pollutants and toxic air contaminants. In order to implement these reporting requirements, CARB developed the "Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants" (CTR) to implement statewide annual reporting of criteria air pollutant and toxic air contaminant emissions data from facilities, and was adopted in support of mandates under AB 617, AB 197, and AB 2588. For Valley permitted facilities, the District will implement this regulation on behalf of the state through the District's existing annual emission inventory and air toxics processes. Emissions inventory data is critical to understanding the sources of emissions that may contribute to adverse health risks or other impacts at the local, regional, and statewide level. In 2023, more than 6,700 facilities reported their emissions inventory-related data, including process rates, types of fuels used, materials received and processed. Utilizing this information, the District quantified the criteria and toxic emissions for these facilities and transmitted the inventory to CARB. Facility emissions reported under the state's CTR regulation are visualized in CARB's Pollution Mapping tool. The tool provides an interactive platform where users can select facilities by name, location, or industrial sector; view their reported emissions using maps, charts and tabular formats; and download data. It can be found at: https://ww3.arb.ca.gov/ei/tools/pollution_map/.

Summary of California's Air Toxics "Hot Spots" Information and Assessment Act

Background

The *Air Toxics "Hot Spots" Information and Assessment Act* (AB 2588, 1987, Connelly) was enacted in September 1987 and later strengthened in 1992. Under this act, stationary sources are required to report the types and quantities of certain toxic substances their facilities routinely release into the air. The goals of AB 2588 are:

- to identify Valley facilities that release toxic air contaminants as a result of their day to day operations
- to collect and quantify emission data
- to identify facilities causing localized impacts
- to determine facility-wide health risks
- to notify nearby residents and businesses of significant risk facilities in their vicinity
- to require that significant-risk facilities reduce their risks below the level of significance in accordance with the provisions of the "Emissions Inventory Criteria and Guidelines Report" adopted by the Air Resources Board

The District's implementation of AB 2588 has minimized health risks to the public associated with the release of air toxic emission from sources located within the San Joaquin Valley. Under this right-to-know law, the District has worked with facilities to quantify air toxic emissions, determine the potential health risk associated with those emissions, and report any risk determined to be significant by the District through written public reports and neighborhood public meetings. A flowchart summarizing the AB 2588 implementation process is provided in Appendix C.

Assessing the Risk to the Public

The State Air Toxics "Hot Spots" Act requires the District to compile an inventory of toxic emissions from Valley facilities, prioritize facilities for health risk, evaluate public health risks for facilities ranked as high priority, and notify individuals who may be impacted by any significant health risks. Although Hot Spots is primarily a public right-to-know and notification program, the public awareness achieved through the Hot Spots program has led many Valley businesses to voluntarily reduce their toxic emissions to ease community concerns.

Implementation

The District utilizes the applicability criteria outlined in CARB's Emission Inventory Criteria and Guidelines Regulation (EICGR) to determine which facilities are evaluated under the program. Facilities are subject to quantifying and reporting their toxic emissions if one or more of the criteria below is met:

- Emit 10 or more tons per year of criteria pollutants (particulate matter, oxides of nitrogen, oxides of sulfur, or organic gasses)
- Emit less than 10 tons per year of criteria pollutants, but meet one or more of the classes listed in Appendix E of the EICGR
- Emit toxic substances that have been added to Appendix A of the EICGR
- Emit toxic substances that have new health risk values published by the state's Office of Environmental Health Hazard Assessment (OEHHA)
- Increase of potential health risk from the previously evaluated level due to an increase in actual emissions, change to a state-established risk value, threshold, or other calculation or methodology changes.

The District's implementation of the AB 2588 Hot Spots Program incorporates the state's guidelines for evaluating health risks from stationary sources in the Valley. Facilities determined to be subject to the Air Toxics "Hot Spots" program are required to prepare a Toxic Emission Inventory Plan (Plan) and a Toxic Emission Inventory Report (Report) in order to provide site-specific inventories of air emissions of toxic substances.

In 2016, the District began the outreach and reassessment of facilities by following the phased processing schedule outlined in AB 2588, which was originally implemented in the late 80's and early 90's. AB 2588 subjected three major categories (or phases) of facilities to the regulation based upon their level of annual emissions. The AB 2588 regulation also allows for "Industry-wide" toxics emissions inventory, which consist of facilities that are small businesses where emissions can be generally characterized such as gasoline dispensing facilities, auto body coating facilities, etc. These industry-wide facilities are being addressed under the fourth assessment phase. Similar to industry-wide facilities, small single source facilities, such those with only diesel internal combustion engines (DICE), are also being assessed in the fourth phase of the implementation schedule. The fourth phase also includes auto body shops and agricultural facilities. The following summary outlines each phase within the District's implementation plan:

First phase:	Phase I Facilities (≥ 25 tons emissions per year)
Second phase:	Phase II Facilities ($10 \leq$ tons emissions per year < 25)
Third phase:	Phase III Facilities (< 10 tons emissions per year)
Fourth phase:	Phase IV Facilities (Industry-wide such as Gas Stations, Auto Body Shops; DICE only, Agricultural facilities)

AB 2588 Evaluation Process

Toxic Emission Inventory Plans and Reports

Under this act, facilities are required to prepare Toxic Emission Inventory Plans and Reports to develop site-specific inventories of air emissions from toxic substances. Plans provide an outline and methodology for calculating toxic emissions for all permitted and non-permitted stationary sources operated at the facility. This is reviewed and approved by the District prior to emission quantification. Reports Include calculations of facility's toxic emissions using site-specific process rates and emission factors in order to perform a "Prioritization" of the facility's air toxic emissions.

Prioritization

AB 2588 requires air districts to prioritize facilities to determine a facility's status within the program. In establishing priorities, the air districts are to consider the potency, toxicity, quantity, and volume of hazardous materials released from the facility, the proximity of the facility to potential receptors, and any other factors that the district determines may indicate that the facility may pose a significant health risk. The District uses the prioritization methodology outlined in the California Air Pollution Control Officers Association (CAPCOA) *Facility Prioritization Guidelines* to prioritize facilities under AB 2588. Utilizing the facility's approved Plan and Report, a facility's priority status is determined using the prioritization thresholds listed in District Policy APR 1906, as identified in Table 3 below.

Table 3: AB 2588 Prioritization Thresholds and Categories

Prioritization Thresholds	Priority Category	Category Requirements
≤ 1	Low Priority	Facility is conditionally exempt from further AB 2588 requirements
>1 and ≤ 10	Intermediate Priority	Facility is required to provide an update summary on a quadrennial basis
> 10	High Priority	Facility is required to perform a Health Risk Assessment

Health Risk Assessment

Facilities that classify as "High" priority are required to perform a Health Risk Assessment (HRA) to determine whether its toxic emissions are expected to pose a significant risk to nearby residents and workers. Under AB 2588, the District and the Office of Environmental Health Hazard Assessment's (OEHHA) review each HRA. HRAs performed under the program are required to use the methodologies and procedures outlined in District guidelines and OEHHA's 2015 Air Toxic Hot Spots Program "*Guidance Manual for Preparation of Health Risk Assessments*". A facility's status under the program is determined using established health risk thresholds as identified in Table 4 below:

Table 4: AB 2588 Health Risk Assessment Thresholds

Health Risk Thresholds	Risk Category	Category Requirements
Cancer risk < 1 in a million, and Total hazard index of < 0.1	Low Risk	Facility is conditionally exempt from further AB 2588 requirements
$1 \leq$ Cancer risk < 10 in a million, or $0.1 \leq$ Total hazard index \leq 1.0	Intermediate Risk	Facility is required to provide an update summary on a quadrennial basis
Cancer risk \geq 10 in a million, or Total hazard index of > 1.0	Public Notification Required	Facility is required to go through the public notification process
Cancer risk > 100 in a million, or Total hazard index of > 5.0	Risk Reduction	Facility is required to go through the public notification process and prepare a Risk Reduction Plan

Public Notification

Facilities that are determined to pose a potential health risk to nearby residents or workers by exceeding the District's public notification risk thresholds are required to notify those exposed persons, through the District's Public Notification process. This process allows the District to inform the public of their potential exposure to toxic substances routinely released into the air from facilities and the potential health risks associated with those exposures. Additionally, this process allows any public questions or concerns regarding exposure and health risk associated with the facility's toxic emissions to be heard and discussed.

Risk Reduction Audit and Plan

Facilities that pose health risks above District action levels are required to submit risk reduction audits and plans (RRAP) to reduce their risk. The District's review of completeness of any facility RRAP includes a substantive analysis of the emission reduction measures included in the plan, and the ability of those measures to achieve emission reduction goals as quickly as feasible. If the District determines that the RRAP does not meet those requirements, the District shall return the audit and plan to the facility to remedy the deficiencies identified by the District. No District permitted facilities have been determined to pose risks in excess of the risk reduction action levels.

Update Summary Facilities

Intermediate Priority and Intermediate Risk facilities are subject to the regulation's Update Summary reporting process. At least once every four years, these facilities must provide their annual activity and resulting emissions inventory in order to provide the District with updated facility information and to determine whether any operational changes at the facility have the potential to affect the facility's health risk status under the program. Operational changes could consist of increasing process rates, or by operating new or modified equipment at the facility.

In addition, each Update Summary provided by facilities undergoes an assessment based on their toxic weighted emissions (TWE). These TWE values are aggregated into three risk categories: cancer, chronic, and acute, and are compared over the four-year update summary inventory cycle. This comparative analysis addresses any updates from OEHHA regarding risk factors or reference exposure levels on a pollutant-by-pollutant basis during the quadrennial period. Using the TWE allows a more refined evaluation to determine whether a facility needs to submit an updated Plan, because it factors the toxicity of air toxic emissions and assesses their impacts accordingly.

It is important to note that changes to the facility that require a District permit or permit modification must be approved by the District prior to being implemented. Based on the information submittal, the District determines if an updated AB 2588 assessment is required (reinstatement).

Industry-wide and Small Single Source Facilities

Under the state's regulation, common types of smaller commercial facilities where the air toxics emissions from individual facilities can easily and generically be characterized and calculated, qualify for a more streamlined assessment process referred to as "industry-wide." These facility industry-wide classes include gasoline dispensing facilities, dry cleaning operations, and automotive coating facilities.

Similar in concept to the industry-wide facilities, smaller operations operating only a single type of emission unit, cannot qualify as industry-wide, and where the emissions can easily and generically be characterized and calculated, qualify for a more streamlined assessment process referred to as "small single source" facilities. Small single sources include facilities only operating a diesel-fired emergency IC engine.

CARB's Recent Updates to AB 2588 Guidance

Recent Amendments to the Emission Inventory Criteria and Guidelines

Regulation

Amendments were made to the Emission Inventory Criteria and Guidelines Regulation (EICGR) and approved by the Office of Administrative Law on March 21, 2022. CARB amended the EICGR to collect more comprehensive emission data across the state. The primary amendments to the EICGR include:

- Updated reporting requirements for diesel engines
- Added factors in determining facility exemptions, reinstatements, and update reporting provisions
- Increased the number of reportable substances in Appendix A from approximately 700 to over 1,700 substances
- Established a phase-in schedule for evaluating newly added substances, consistent with the CTR Regulation's emissions inventory schedule
- Added new source test requirements for certain source types

Gasoline Service Station Industrywide Risk Assessment Guidance

To assist air districts in assessing Gasoline Dispensing Facilities (GDF) as required under AB 2588, CARB and California Air Pollution Control Officers Association (CAPCOA) prepared an updated standardized Gasoline Service Station Industrywide Risk Assessment Guidance in 2022. This guidance provides a framework for air districts to use when evaluating the public health risks from GDFs. This guidance replaces the 1997 Gasoline Service Station Industrywide Risk Assessment Guidelines that was previously used by air districts for their health risk evaluations. Changes in the 2022 technical guidance include new health risk methodologies, updated emission factors for gas stations, and new information on the toxic chemicals in gasoline. Due to the significant changes in the methodology and the state-wide effort to evaluate GDFs under AB 2588, the District recently evaluated the Valley's permitted GDF facilities (approximately 1,500 facilities).

Air Toxics Hot Spot Assessments Summary

The District has finalized 7,425 AB 2588 facility assessments from 2016 - 2023. Table 5 below identifies the number of facilities assessed in 2023 through a prioritization analysis (after completion of a Plan and Report), applicability exemption determination, or a health risk assessment (after completion of a prioritization).

Table 5: Summary of Facilities Assessed Under AB 2588 in 2023

AB 2588 Category	Number of Facilities Assessed in 2023
Low/Exempt Priority	213
Low/Exempt Risk	7
Intermediate Priority	238
Intermediate Risk	31
High Priority	10
Public Notification Required	0
Risk Reduction	0
Total	499

A detailed list of the facilities evaluated in 2023 and their current status under AB 2588 can be found in Appendix A, along with maps that visually display the location of those facilities that were evaluated as intermediate priority, high priority, and intermediate risk.

The District also re-evaluated 95 facilities subject to the update summary reporting process in 2023 to determine whether reinstatement into the program is required in order to perform an updated AB 2588 facility assessment. A detailed list of those facilities and associated reinstatement status can be found in Appendix B.

Table 6: Summary of Quadrennial Reporting (Update Summaries)

AB 2588 Category	Number of Facilities Assessed in 2023
Needs Reassessment	6
Continued Quadrennial Reporting Cycle	89
Total	95

Preventing Creation of Significant Health Risk

The overall goal of the District's integrated approach to air toxics emissions in the San Joaquin Valley aims to maximize public health improvements and minimize public exposure to air toxic emissions. The integrated air toxics program assists in preventing, minimizing, and reducing health risks through a variety of programs.



New or Modified Stationary Source Evaluations

One goal of District risk management review efforts is to minimize the increase that new and modified stationary sources add to the existing toxic load and any potentially significant public health impacts associated with the release of those airborne toxic emissions. In order to achieve this goal, the District evaluates the health risk of stationary sources as part of the District's permitting process and engineering evaluation.

Under the District's risk management policy, Toxic Best Available Control Technology must be applied to all units that may pose greater than de minimis levels of risk (i.e., a cancer risk greater than one in one million). Projects that would pose significant impacts to nearby residences or businesses (i.e., by causing an increased cumulative facility cancer risk of 20-in-a-million or greater) are not approvable. When a project is determined not to be approvable as proposed, District staff will work with the applicant to find approvable low-risk alternatives, such as installing air toxic emissions control devices or limiting the operation of the proposed equipment. Under this program, the District has performed over 16,800 Risk Management Reviews for facilities throughout the District. As a consequence, no permit for a new or modified operation has been approved since the program was initiated in 1995 that would have created a significant health impact through increases in air toxic emissions.

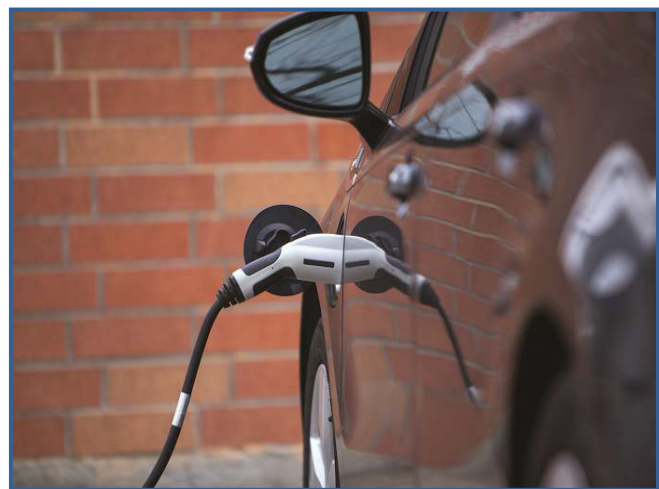
Air Toxics “Hot Spots” Information and Assessment Act

As noted earlier in this report, this law is designed to provide information on the extent of emissions from existing stationary sources and the potential public health impacts of those emissions. Facilities are required to calculate and report to the District their actual emissions of air toxic emissions. Facilities with health risk assessment score above public notice thresholds must disclose their impacts to nearby residents that may be impacted. Facilities that exceed a higher risk reduction action threshold must go even further and reduce emissions of air toxics. No Valley facility currently poses a significant risk under the “Hot Spots” program utilizing state/OEHHA guidance, while at the beginning of the implementation of the program, in 1989, 16 facilities were classified “Significant Risk Facilities.”

Incentive-Based Programs

To assist in reducing air toxic emissions throughout the Valley, more than \$6 billion in public and private funding has been invested in clean-air projects through the District's voluntary incentive programs. In total, these programs have reduced more than 271,300 tons of harmful emissions. Carcinogenic diesel particulate matter (DPM) emissions have been significantly reduced in the Valley, where District voluntary incentives programs have provided critical funding toward replacing more than 35,000 older, high-polluting heavy-duty diesel engines with zero emission electric motors or cleaner burning engines equipped with the latest emissions control technologies. In addition, these incentive programs provide critical funding to replace older, higher-polluting school buses, light-duty passenger vehicles, residential wood burning devices, and numerous others. Through the District's first-of-its-kind Ag Burn Alternatives Grant program, the District provides funding to support the Valley's ongoing phase-out of agricultural open burning and the development of innovative alternatives to open burning.

In 2017, AB 617 initiated a statewide effort to monitor and reduce localized air pollution, and highly improve public health, in communities that experience disproportionate burdens from exposure to air pollutants through new community-focused and community-driven actions. The communities of Shafter, South Central Fresno, Stockton and Arvin/Lamont were selected to receive clean air resources available under AB 617 through the Community Air Protection Program. This program includes a substantial investment of community-level funding through a wide variety of voluntary incentive funding measures, including the Tune-In & Tune-Up program and the Fireplace & Woodstove Change-Out Program. The Tune-In & Tune-Up program provides incentives for primarily low-income



District residents to perform much-needed smog related repairs to their personal vehicles. In some cases, the District is even able to offer greater incentives for residents to replace their old, high polluting vehicle with a much cleaner and much newer vehicle. Through the Fireplace & Woodstove Change-Out Program, the District is able to provide funding for District residents to replace, older, high polluting residential wood burning devices with new, clean burning devices or natural gas inserts. Through this program, the District offers a higher incentive for the District's low-income population.

Attainment Plans and Control Strategies

Within the District's *2018 PM_{2.5} Plan*, the District prioritized strategies achieving the greatest public health benefits while satisfying applicable attainment planning requirements. The District also analyzed the health benefits that would result from implementation of the plan. Several examples of prioritized control strategies included in the *2018 PM_{2.5} Plan* include new measures to further reduce *PM_{2.5}* emissions, with rules since being adopted to reduce harmful emissions from residential wood burning (Rule 4901) and industrial sources. These measures reduce some of the most harmful types of particulate matter, particularly where these reductions are most needed in urban, highly populated areas. Additionally, as part of the District's *2022 Ozone Plan*, the District adopted strategies to further reduce harmful volatile organic compound (VOC) emissions from oil and natural gas sources and petroleum refining (Rules 4401, 4409, 4455, 4623, and 4624). Through ongoing attainment planning efforts, the District continues to prioritize programs and strategies that reduce harmful emissions and result in public health benefits.

Indirect Source Review Rule

The District's Indirect Source Review (ISR) rule, in place since 2005, achieves combustion-related NO_x and PM₁₀ emission reductions from the construction and operation of new development projects through the incorporation of clean-air design features and on-site mitigation measures. The focus of these emissions reductions are from development-related mobile source heavy duty off-road diesel equipment and heavy duty on-road diesel trucks, which emit diesel particulate matter, one of the most potent carcinogens.

California Environmental Quality Act and Health Risk Assessments

The California Environmental Quality Act (CEQA) requires public agencies to evaluate environmental impacts from a development project and all feasible alternatives or mitigation measures that can substantially reduce or avoid those impacts. Generally, the main responsibility for satisfying CEQA requirements, or "lead agency" role, falls under the responsibility of city or county planning agencies.

From a health risk perspective, land use decisions are critical to improving and preventing degradation of air quality within the San Joaquin Valley, as land use patterns greatly influence potential exposure of sensitive receptors to sources of air pollution. Under

CEQA, land use agencies must evaluate the potential significance of health risks associated with development projects. The District provides support to land use agencies when making air quality impact determinations by assisting in the review of health risk assessments performed for the project.

Outreach and Education

As we move forward in achieving our mission, the District shall continue its ongoing efforts to educate the public about air quality, and the significant clean air investments and air quality progress that have been made in the Valley.

The District's information and educational programs include the Real-Time Air Quality Advisory Network (RAAN), Web-based Archived Air Quality (WAAQ) System, and Healthy Air Living Schools program.

RAAN uses real-time data from air monitoring stations throughout the Valley to provide hour-by-hour air quality updates to schools and other subscribers. WAAQS was implemented in 2015 and takes RAAN a step further by providing neighborhood-by-neighborhood historical air quality data for any address in the Valley air basin. Valley residents can use this information to make informed decisions and plan outdoor activities for times with the best air quality, reducing potential air quality health risks. As a high priority area of focus, the District has continued working to expand the Healthy Air Living Schools initiative to deliver an extensive set of tools and information, including the recent launch of school-based Real-Time Electronic Air-quality Displays (READ), to enable Valley schools to understand and respond to air quality conditions and protect the health of students.



Air Toxics Regulations

In addition, the District implements a variety of state, federal, and District rules reducing and regulating the emissions of toxic air pollutants. Such regulations have generated significant reductions in air toxics from a wide variety of sources, from requiring the gradual phase-out of perchloroethylene used at dry cleaners and mandating emissions controls at chrome platers, to a large number of rules aimed at reducing particulate emissions from diesel internal combustion engines.

Due to this diverse set of risk reduction efforts, approximately 14% of all air toxics in the San Joaquin Valley are now emitted from stationary sources of pollution under the direct

control and regulation of the District, while 52% comes from mobile sources such as cars and trucks, and the remaining 34% is emitted from area-wide sources like road dust, paints, solvents, and other consumer products (per CTI). Mobile and area-wide sources of emissions are generally under the regulatory authority of the State of California and the federal government.

Diesel Particulate Matter (DPM) Risk Reduction

CARB identified particulate matter emissions from diesel-fueled engines as a toxic air contaminant with the potential to pose a significant cancer risk to the public. Historically the cancer risk from the exhaust of diesel internal combustion engines has been determined to be far higher than the estimated cancer risk from all other sources of air pollution combined. Because of the high level of risk associated with diesel exhaust, and because of the prevalence of the engines, the State chose not to address diesel exhaust using the existing risk management guidance. Instead, the State decided to establish an advisory committee of interested parties, and developed a comprehensive risk management plan that would result in significant reductions in emissions of diesel particulate matter. CARB adopted the Risk Reduction Plan to Reduce Particulate Matter Emissions from mobile and stationary Diesel-fueled Engines.

Several of the following Air Toxic Control Measures (ATCMs) were developed as a part of ARB's diesel exhaust risk reduction efforts, which continue to be developed. Related information is available on CARB's ATCM website at:

<https://ww2.arb.ca.gov/resources/documents/airborne-toxic-control-measures>.

ATCM Portable Diesel-Fueled Engines

The purpose of the CARB adopted Portable Diesel ATCM is to protect public health by controlling particulate matter (PM) emissions from diesel fueled portable engines rated at 50 horsepower and greater operating in California. All existing portable diesel engines were required to be certified by January 1, 2010, and all new portable engines were required to meet the latest certification standards. In addition, the ATCM contains stringent diesel PM fleet standards that apply after 2010.

The latest version of the ATCM became effective on November 30, 2018 and contains stringent emissions standards and operational requirements that impact new and existing portable diesel engines. The District has been implementing the requirements of the Portable ATCM in the review of applications for District Portable Registrations and permits for portable diesel engines. This ATCM is expected to continue to result in a substantial reduction in Valley diesel PM emissions over the next several years.

ATCM Stationary Diesel-Fueled Engines

The purpose of the CARB adopted Stationary Diesel ATCM is to protect public health by controlling particulate matter (PM) and criteria pollutant emissions from stationary diesel fueled portable engines rated at 50 horsepower and greater operating in California.

This ATCM is satisfied via Rule 4702 (Internal Combustion Engines) in combination with the District's permitting or Permit-Exempt Equipment Registration (PEER) program. These District programs have collectively been found by the CARB to be equivalent to the

Stationary ATCM for stationary agricultural engines. This ATCM and District Rule 4702 are expected to continue to result in a substantial reduction in Valley diesel PM emissions over the next several years.

CARB Control Measure for In Use Off-road Diesel Vehicle Rule

The purpose of the CARB adopted an off-road diesel vehicle rule is to reduce diesel PM and oxides of nitrogen (NO_x) emissions from in-use (existing) off-road heavy-duty diesel vehicles. The regulation applies to self-propelled diesel-fueled vehicles that cannot be registered and licensed to drive on-road. Examples include loaders, crawler tractors, skid steers, backhoes, forklifts, and airport ground support equipment. Vehicles with engines less than 25 horsepower are exempt. The regulation is expected to reduce diesel exhaust emissions by over 1,600 tons per year statewide between 2010 and 2030.

Diesel Particulate Matter Control Measure for On-road Heavy-duty Diesel-fueled Vehicles Owned or Operated by Public Agencies and Utilities

The purpose of the CARB adopted control measure will reduce emissions from on-road heavy duty vehicles over several deadlines, with the first groups of vehicles required to be in compliance by December 31, 2007. This control measure is particularly effective because it reduces diesel PM emissions in the heart of residential communities where municipal and utility vehicles frequently conduct business, and where the public is significantly impacted by diesel PM emissions.

ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling

CARB initially adopted an ATCM to reduce emissions of toxics and criteria pollutants by limiting idling of new and in-use sleeper berth-equipped diesel trucks. The emission performance requirements require technologies used as alternatives to idling the truck's main engine. The new engine requirements required 2008 and newer model year heavy-duty diesel engines to be equipped with non-programmable engine shutdown systems that automatically shut down the engine after five minutes of idling or, alternatively, meet a more stringent NO_x idling emission standard. Beginning January 1, 2008, in-use truck requirements require operators of both in-state and out-of-state registered sleeper berth equipped trucks to manually shut down their engine when idling more than five minutes at any location within California. Each year heavy-duty diesel truck idling contributes to hundreds of pounds of PM as well as other pollutants to the Valley. The District Incentive Program has subsidized truck stop support equipment to reduce diesel truck idling along the main goods movement corridors. Tests conducted by the District and CARB have determined that an idling truck can consume up to a gallon of diesel fuel an hour. The idling of heavy-duty trucks, at the time of delivery, represents a high percentage of emissions around developed areas in the Valley.

ATCM for Transport Refrigeration Units

The purpose of the CARB adopted ATCM is to reduce emissions of diesel PM from Transport Refrigeration Units (TRUs). TRUs are refrigeration systems powered by diesel internal combustion engines designed to refrigerate or heat perishable products that are transported in various containers, including semi-trailers, truck vans, shipping containers, and rail cars. Although TRU engines are relatively small, ranging from 9 to 36 horsepower, significant numbers of these engines congregate at distribution centers, truck stops, and

other facilities, resulting in the potential for health risks to those that live and work nearby. CARB estimated that diesel PM emissions from TRUs will be reduced by 83% by 2040. CARB has recently developed amendments to this ATCM. Related information is available on their TRU ATCM website at <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit>.

ATCM for Hexavalent Chromium for Decorative and Hard Chrome Plating and Chromic Acid Anodizing Facilities

The purpose of the CARB adopted ATCM is to establish new, more stringent emission limitations that depend upon size and nearness to sensitive receptors, limited the use of chemical fume suppressants, and adopted new housekeeping, education, monitoring, recordkeeping, and reporting requirements.

CARB amended the ATCM in 2023 to establish enhanced best management practices (e.g. building enclosures, limits, source testing, etc.) for all chrome plating facilities using hexavalent chrome. The stated goal of the amended ATCM is eliminating toxic hexavalent chromium emissions from the chrome plating industry in California over time. The amendments phase out the use of hexavalent chromium from chrome plating operations for all new chrome plating facilities in California. The amendments went into effect January 1, 2024.

There are numerous expected benefits from the revised ATCM, including eliminating hexavalent chromium emissions from California's chrome plating industry, reducing the potential cancer risk to individual residents and off-site workers near chrome plating facilities, and reducing occupational exposures for on-site workers.

ATCM for Perchloroethylene Emissions from Dry Cleaning Operations

The purpose of the CARB adopted ATCM is to phase out the use of perc dry cleaning machines and related equipment by January 1, 2023. In addition, the amendments will put in place revisions to the Curriculum for the Environmental Training Program for Perc Dry Cleaning Operations (Training Curriculum). There were changes to the operational requirements for dry cleaners as well. For example, the revised ATCM requires that owners/operators maintain a spare set of gaskets on-site. Also, the trained operator must now be on-site whenever the machine is operated. These amendments became effective upon final approval by the Office of Administrative Law on December 27, 2007. The District adopted the revised ATCM in 2008 by reference.

ATCM for Composite Wood Products

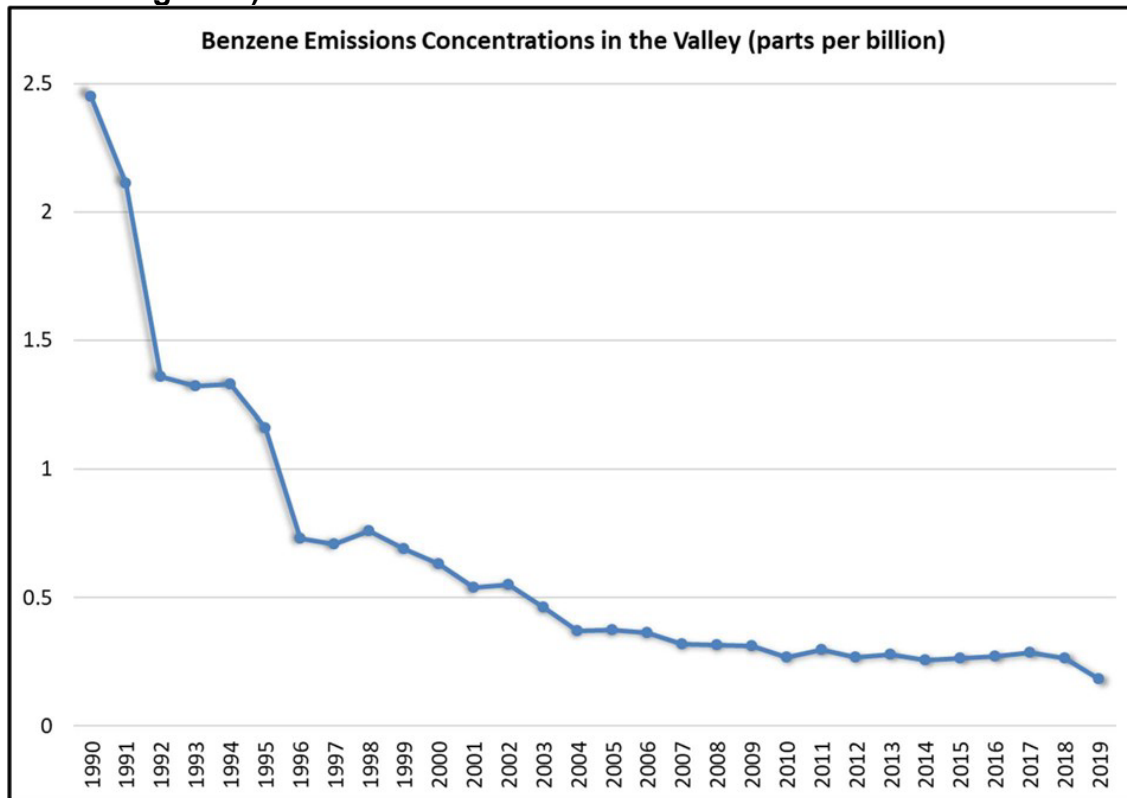
The purpose of the CARB approved ATCM is to reduce formaldehyde emissions from composite wood products including hardwood plywood, particleboard, medium density fiberboard, thin medium density fiberboard, and also furniture and other finished products made with composite wood products. Formaldehyde is produced on a large scale worldwide. One major use includes the production of wood binding adhesives and resins. CARB developed a modified version of the Composite Wood Product ATCM that was released for a 15-day public comment period on January 31, 2008, and was approved April 18, 2008, by the Office of Administrative Law. Further amendments to this ATCM

were approved in May of 2012.

ATCM for Benzene from Retail Service Stations

CARB adopted the ATCM for Emissions of Benzene from Retail Service Stations. The ATCM reflects the use of best available control technology, which requires the installation of CARB-certified Phase I and II vapor recovery control equipment at all retail service stations. The ATCM is designed to reduce benzene and total hydrocarbon emissions from uncontrolled stations by 95 percent. Figure 6 shows the trend of benzene emissions in the Valley.

Figure 6. Benzene Emissions Trend, San Joaquin Valley (CARB Annual Toxics Monitoring Data)



ATCMs Adopted by the District as Regulations

- District Rule 7011: Chromium Plating And Chromic Acid Anodizing Facilities
- District Rule 7012: Hexavalent Chromium - Cooling Towers
- District Rule 7021: Ethylene Oxide - Sterilizers and Aerators
- District Rule 7031: Dioxin - Medical Waste Incinerators
- District Rule 7041: Fluorides - Phosphoric Acid Plants
- District Rule 7050: Asbestos - Containing Material for Surfacing Applications
- District Rule 7060: Toxic Metals from Non-Ferrous Metal Melting
- District Rule 7070: Perchloroethylene from Dry Cleaning Operations

Other ATCMs are implemented primarily through the permitting process. These include

the ATCM for Stationary Compression Ignition Engines and the ATCM for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower and Greater.

Reducing Health Risk through Enforcement Delegation

On July 1, 2008, the District began enforcing California Air Resources Board's ATCM to Limit School Bus Idling and Idling at Schools and ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling, during timeframes in which state funding is available to support these efforts. The purpose of these ATCMs is to reduce toxic and criteria air pollutants by limiting idling time. By enforcing these requirements in the Valley, the District is able to directly reduce public exposure from toxic emissions, especially in sensitive areas.

The District was delegated the responsibility of enforcing the U.S. EPA's NESHAP for asbestos, a known carcinogen, and as a result performs hundreds of inspections of construction projects that have the possibility of disturbing asbestos containing materials. By ensuring that these materials are removed and handled correctly, the probability of harmful releases of asbestos is significantly reduced.

Implementation of Federal Air Toxics Mandates

EPA has issued NESHAPs through Part 61 and Part 63 of Title 40 of the Code of Federal Regulations (CFR). The Part 61 NESHAPs were issued prior to the adoption of the Federal Clean Air Act Amendments of 1990. Those NESHAPs are specific to a particular hazardous air pollutant (HAP). Due to little activity in adopting NESHAPs, the 1990 amendments to the Federal Clean Air Act established a new procedure for developing NESHAPs. A list of 189 HAPs was established. EPA identified industries that emitted those HAPs and established a prioritized list of over 70 source categories for which Maximum Achievable Control Technology (MACT) standards would be promulgated. These MACT standards apply to major sources of HAPs, defined as sources with emissions greater than 10 tons per year of a single HAP, or 25 tons per year of combined HAPs. Many of these sourcecategories are already subject to state and local regulation, which have traditionally been more stringent than the federal regulations. EPA has already adopted MACT standards to address the majority of the source categories identified.

In addition to the MACT standards for major sources, EPA is also required to adopt NESHAPs standards to reduce the health risk associated with area (non-major) sources of HAPs. As the result of a lawsuit, EPA was under court order to promulgate area source NESHAPs for 4 categories of sources by December 15, 2006; for 6 categories by June 15, 2007; and for 10 categories each 6 months thereafter until June 15, 2009. Similar to the MACT standards for major sources, many of the area sources subject to these standards are already subject to state and local regulation. Area source NESHAPs have already been promulgated for Oil and Natural Gas Production Facilities; Polyvinyl Chloride and Copolymers Production, Primary Copper Smelting, Secondary Copper Smelting, and Primary Nonferrous Metals - Zinc, Cadmium, and Beryllium; Acrylic and Modacrylic Fibers Production, Carbon Black Production, Chemical Manufacturing: Chromium Compounds, Flexible Polyurethane Foam Production and Fabrication, Lead Acid Battery

Manufacturing, and Wood Preserving; Clay Ceramics Manufacturing, Glass Manufacturing, and Secondary Nonferrous Metals Processing; Electric Arc Furnace Steelmaking Facilities; and Hospital Ethylene Oxide Sterilizers. See Appendix D for the current status of the District's implementation of NESHAPs.

An amendment to 40 CFR part 63, subpart ZZZZ (control of HAPs from reciprocating internal combustion engines) was proposed on June 6, 2012, and was finalized by EPA on January 14, 2013. This regulation requires reductions in hazardous air pollutants from stationary internal combustion engines over the next several years, and requires significant recordkeeping and monitoring of the engines affected. The District is currently developing processes and policies to assist those facilities affected to comply with the new requirements.

Many other amendments to existing NESHAPs were finalized in 2012: Chemical Manufacturing, Hard & Decorative Chrome electroplating and HCL supplements, Polyvinyl Chloride, Nitric Acid Plants, Petroleum Refineries process heaters and flares, etc. While these NESHAPs have lesser applicability in California and the San Joaquin Valley than the engine NESHAP discussed above, the District will identify, notify, and assist those facilities affected.

In December 2021, EPA issued a decision extending Toxic Release Inventory (TRI) reporting for ethylene oxide to 29 facilities across the country. These facilities were required to begin tracking their chemical activities, releases and other waste management quantities starting in January 2022 and submit TRI data to EPA in 2023. None of these facilities are located within the San Joaquin Valley.

On July 25, 2023, EPA announced proposed updates to the Air Emissions Reporting Requirements (AERR) to improve EPA's collection of certain emissions data critical for performing air quality and risk analyses, among other regulatory and non-regulatory activities. This proposed action would allow for EPA to annually collect (starting in 2027), HAP emissions data for point sources including non-major sources. The proposed amendments would ensure that EPA has sufficient information to identify and solve air quality and exposure problems and ensure that communities have the data needed to understand significant environmental risks that may be impacting them. Due to numerous requests to extend the comment period given the complexity and length of the proposed rulemaking, EPA extended the comment period for the proposed revisions to November 17, 2023. The District is following this development and will incorporate any updates into the Integrated Toxics Program as necessary.

The District currently is delegated authority by EPA to implement and enforce NESHAPs through two mechanisms. First, all major sources of HAPs are required to obtain Title V operating permits. The NESHAP requirements for these major sources are included in the Title V permits for which the District is delegated authority by EPA. Second, the District is delegated authority to implement and enforce all area source NESHAPs that are included in District Rule 4002, most recently amended on May 20, 2004. Under the District's Air Toxics Program and federal regulations, there are several options for

implementing new NESHAP requirements. These options are discussed in more detail below. The District will choose the most appropriate option for implementing each Federal standard, and will hold public workshops to obtain public input on the implementation of these additional standards.

- Straight Delegation: Accepting delegation of the federal standard as written by amending Rule 4002 or by agreeing to automatic delegation with an option of opting-out for specific NESHAPs using an approach developed by the (CAPCOA);
- Rule Adjustment: Proposing minor changes to the federal MACT rule that make the adjusted rule no less stringent than the federal standard;
- Rule Substitution: Substituting one or more existing, new, or amended District rules for the federal standard (It should be noted that California Districts have been delegated authority for the chrome plating and dry cleaning NESHAPs because EPA has agreed that the ATCMs for those source categories are equivalent to the NESHAPs.);
- Streamlining Multiple Applicable Requirements: Minimizing duplicative requirements by placing the more stringent emission limit or workplace practice standard on the permit along with the corresponding monitoring, recordkeeping, and reporting requirements;
- Program Substitution: Using existing programs to assure compliance with the requirements of federal standards;
- No Delegation: Using existing programs to reduce the emissions of hazardous air pollutants without delegation of federal standards.

The NESHAPs for which the District has received delegation through Rule 4002 are listed in Table E1 in Appendix E. All current NESHAPs for which the District has not received delegation through Rule 4002 are listed in Table E2 in Appendix E.

Regardless of the status and type of delegation, the District believes strongly in working with the affected sources to make them aware of the requirements in a timely manner, and then help them understand and comply with these public health protective regulations.

Air Dispersion Modeling



Air quality models use mathematical techniques to simulate the physical and chemical processes that affect air pollutants as they disperse and react in the atmosphere. These models form the backbone of the air toxics management process, as they are used to assess the potential exposure of the public to various toxic emissions. Using inputs of meteorological data and source parameter information such as emission rates and stack height, models predict ambient concentrations of primary pollutants that are emitted. Models are also important to the air quality management process because they determine compliance with National/State Ambient Air Quality Standards (NAAQS/SAQS), and other regulatory requirements such as New Source Review (NSR).

EPA Regulatory Model (AERMOD)

The American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee (AERMIC) was formed to introduce state-of-the-art modeling concepts into the EPA's air quality models. Through AERMIC, a modeling system, AERMOD, was developed to incorporate air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain.

With the promulgation of AERMOD as the preferred air dispersion model in EPA's *Guideline on Air Quality Models* (signed by the EPA Administrator on October 21, 2005 and published November 9, 2005 in the *Federal Register*), AERMOD is used for appropriate application as a replacement for ISCST3 since November 9, 2006.

Meteorological Data

The District makes available meteorological data from both the National Climatological

Data Center (NCDC) and the Fifth-Generation Penn State/National Center for Atmospheric Research Mesoscale Model (MM5). The NCDC data were collected at major airports in the San Joaquin Valley. The MM5 data were derived from a numerical model for locations in the valley where there are no airports. These locations are primarily in the western part of the Valley. All processed data is freely available for download on the District's web page at:

https://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm

Appendices

Appendix A: Facilities Assessed Under AB 2588 in 2023

Appendix B: Update Summary Facilities

Appendix C: Toxic Emissions Summary

Appendix D: AB 2588 District Implementation Flow Chart

Appendix E: Current Status of NESHAP Delegation

Appendix A. Facilities Assessed under AB 2588 in 2023

Appendix A includes a detailed list of the facilities assessed under AB 2588 in 2023. Table A1 Includes facilities prioritized and Table A2 Includes the facilities with completed health risk assessments.

In addition to the tables listed below, Appendix A also includes maps that visually show the locations of all facilities that were evaluated in 2023.

Table A1. Facilities Prioritized in 2023

Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
N	7856	Family Pet Mortuary	Turlock	47.8	High
N	1252	Foster Food Products	Livingston	33.8	High
N	3028	Westland Technologies, Inc.	Modesto	30.8	High
N	2369	Arrow Infrastructure Holding IA LLC	Stockton	29.9	High
C	841	Dos Palos Cooperative Gin Inc.	Chowchilla	29.1	High
C	9232	Modern Custom Fabrication, Inc.	Fresno	23.0	High
S	8848	Peters-Loyd Funeral Services	Porterville	20.7	High
S	1135	AERA Energy LLC	Kern County	19.8	High
S	1128	Chevron USA Inc.	Kern County	19.7	High
N	2174	Silgan Containers Mfr. Corp.	Riverbank	18.1	High
S	2777	California Resources Production Corp.	Bakersfield	9.89	Intermediate
N	3302	City of Modesto	Modesto	9.44	Intermediate
N	3510	City of Lodi (Water Well #16)	Lodi	9.41	Intermediate
C	2886	Pacific Gas & Electric Co.	Fresno	9.32	Intermediate
N	704	Dynatect Ro-Lab Inc.	Tracy	9.08	Intermediate
N	2868	Pacific Bell Telephone Co (dba AT&T CA)	Riverbank	9.04	Intermediate
C	3098	Comcast Cable Communications Inc.	Madera	8.94	Intermediate
S	8712	Kern Asphalt Paving & Sealing Co Inc.	Bakersfield	8.93	Intermediate
S	3344	Level 3 Communications	Dinuba	8.82	Intermediate
N	3305	City of Modesto	Modesto	8.73	Intermediate
S	91	Mt Poso Cogeneration Co LLC	Bakersfield	8.65	Intermediate
N	7365	Pelican Renewables LLC	Stockton	8.57	Intermediate
N	1662	Gallo Glass Company	Modesto	8.56	Intermediate
N	2873	Pacific Bell Telephone Co (dba AT&T CA)	Los Banos	8.56	Intermediate
N	3458	Applied Aerospace Structures Corp.	Stockton	8.55	Intermediate
C	214	California State Prison –	Corcoran	8.32	Intermediate

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
		Corcoran			
C	7501	Signature Flight Support	Fresno	8.27	Intermediate
C	3572	Level 3 Communications LLC	Fresno	8.23	Intermediate
C	1647	Pacific Bell Telephone Co (dba AT&T CA)	Selma	8.21	Intermediate
S	2486	Pacific Bell Telephone Co (dba AT&T CA)	Dinuba	8.06	Intermediate
C	4071	Algonquin Power Sanger LLC	Sanger	8.03	Intermediate
N	4522	City of Merced	Merced	7.95	Intermediate
S	568	Rosewood Retirement Community	Bakersfield	7.88	Intermediate
N	8942	World Class Distribution, Inc.	Stockton	7.86	Intermediate
S	3546	California Water Service	Bakersfield	7.82	Intermediate
C	2055	The Ponderosa Telephone Co.	Friant	7.61	Intermediate
N	2564	Stockton Municipal Utility	Stockton	7.51	Intermediate
S	8690	Dirt Worx Inc.	Bakersfield	7.47	Intermediate
C	205	California Water Service Co.	Selma	7.35	Intermediate
N	4527	City of Merced	Merced	7.35	Intermediate
S	2474	California Water Service Co.	Bakersfield	7.33	Intermediate
C	9419	Crestwood Kingsburg Healing Center	Kingsburg	7.08	Intermediate
C	1627	Fresno County Build Maintenance Division	Fresno	7.08	Intermediate
N	4666	Dale Commons MSL LLC	Modesto	6.94	Intermediate
N	9211	San Joaquin County	Stockton	6.89	Intermediate
N	9754	Amazon.Com Services LLC	Stockton	6.85	Intermediate
S	1469	California Water Service Co.	Bakersfield	6.85	Intermediate
N	3038	Monschein Industries Inc.	Riverbank	6.84	Intermediate
N	4956	City of Newman	Newman	6.78	Intermediate
S	8561	J.P. Oil Company, LLC	Shafter	6.76	Intermediate
S	18	Kern County General Services	Lamont	6.70	Intermediate
N	3306	City of Modesto	Modesto	6.66	Intermediate
N	811	Stockton RWCF	Stockton	6.63	Intermediate
N	2885	City of Modesto	Modesto	6.54	Intermediate
N	558	Diamond Pet Foods-Lathrop	Lathrop	6.47	Intermediate
C	2054	The Ponderosa Telephone Co.	Shaver Lake	6.42	Intermediate
C	3321	City of Fresno Water Division	Fresno	6.29	Intermediate
N	9482	Keyes Community Services District	Keyes	6.28	Intermediate
N	10034	Amazon.Com Services LLC - SCK6	Tracy	6.21	Intermediate
S	1915	Tulare City Water Division	Tulare	6.13	Intermediate

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
S	6817	Lowe's HIW Inc.	Tulare	6.07	Intermediate
S	2609	The Cardinal Group LLC	Bakersfield	6.00	Intermediate
N	1647	Martin Marietta CA A&P, LLC - Merced HMA	Merced	5.96	Intermediate
N	3087	City of Modesto	Modesto	5.83	Intermediate
C	3318	City of Fresno Water Division	Fresno	5.80	Intermediate
S	9681	Chevron Cogeneration Company	Bakersfield	5.80	Intermediate
S	1131	Chevron USA Inc.	Kern County	5.80	Intermediate
S	88	Kern River Cogeneration Facility	Bakersfield	5.8	Intermediate
S	511	Sycamore Cogeneration Facility	Bakersfield	5.8	Intermediate
N	4724	City of Atwater	Atwater	5.76	Intermediate
N	4723	City of Atwater	Atwater	5.74	Intermediate
S	2634	Kern County Supt of Schools	Bakersfield	5.73	Intermediate
N	3086	City of Modesto	Modesto	5.61	Intermediate
S	9156	Alliance Ready Mix, Inc.	Shafter	5.49	Intermediate
N	2456	City of Stockton/CB Richard Ellis Inc.	Stockton	5.47	Intermediate
C	9905	EZ-Trip	Madera	5.43	Intermediate
C	1059	Saint Agnes Medical Center	Fresno	5.25	Intermediate
S	2568	Pacific Bell Telephone Co (dba AT&T CA)	Earlimart	5.21	Intermediate
C	3615	City of Fresno	Fresno	5.11	Intermediate
C	930	Pacific Gas & Electric Co.	Fresno	5.07	Intermediate
N	4519	City of Merced	Merced	5.02	Intermediate
N	4016	Comcast Cable Communications Inc.	Stockton	5.01	Intermediate
S	2493	California Water Service Co.	Bakersfield	5.01	Intermediate
S	4275	City of Wasco	Wasco	4.93	Intermediate
S	2300	California Water Service Co.	Bakersfield	4.89	Intermediate
S	3391	Verizon Wireless - Woodmere	Bakersfield	4.80	Intermediate
C	3368	AT&T Mobility	Madera	4.69	Intermediate
C	1764	Madera Valley Water Company	Madera	4.64	Intermediate
N	3842	City of Stockton, California	Stockton	4.61	Intermediate
N	2022	Sutter Valley Hospitals dba Memorial Medical	Modesto	4.59	Intermediate
C	3008	MCI	Fresno	4.52	Intermediate
C	3026	Frontier California Inc.	Reedley	4.48	Intermediate
N	8553	New Bethany	Los Banos	4.37	Intermediate
N	4727	City of Atwater	Atwater	4.36	Intermediate
N	4728	City of Atwater	Atwater	4.36	Intermediate

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
N	3482	City of Ripon	Ripon	4.27	Intermediate
C	216	California Air National Guard	Fresno	4.17	Intermediate
N	4824	Los Banos Police Department	Los Banos	4.08	Intermediate
N	4472	City of Modesto	Modesto	4.06	Intermediate
N	4725	City of Atwater	Atwater	4.02	Intermediate
N	1670	Georgia-Pacific Corrugated LLC	Modesto	4.00	Intermediate
N	2875	Pacific Bell Telephone Co (dba AT&T CA)	Gustine	3.92	Intermediate
S	6527	Visalia Eye Center	Visalia	3.89	Intermediate
C	8864	City of Fresno	Fresno	3.86	Intermediate
C	9728	JT Atwal Petroleum Inc.	Fresno	3.84	Intermediate
N	1758	Berry Seed & Feed Company	Keyes	3.71	Intermediate
N	4521	City of Merced	Merced	3.70	Intermediate
S	1160	Pacific Bell Telephone Co dba AT&T CA	Frazier Park	3.58	Intermediate
C	2953	City of Selma Fire Dept.	Selma	3.57	Intermediate
S	3897	Centennial Asphalt Company	Bakersfield	3.56	Intermediate
S	8857	FJM Inc.	Fellows	3.56	Intermediate
N	2859	Pacific Bell Telephone Co (dba AT&T CA)	Newman	3.51	Intermediate
N	3932	Plymouth Square	Stockton	3.43	Intermediate
S	1167	Pacific Bell Telephone Co (dba AT&T CA)	Shafter	3.42	Intermediate
C	9490	Jammu Petroleum Inc.	Fresno	3.40	Intermediate
N	9517	Lakha Corporation	Atwater	3.39	Intermediate
C	8863	City of Fresno	Fresno	3.36	Intermediate
C	1607	Bear Communications	Squaw Valley	3.28	Intermediate
N	8880	Fedex Freight Inc. – STK	Stockton	3.18	Intermediate
S	9576	California Water Service Co.	Bakersfield	3.12	Intermediate
N	2860	Pacific Bell Telephone Co. (dba AT&T CA)	Crows Landing	3.11	Intermediate
N	2866	Pacific Bell Telephone Co. (dba AT&T CA)	Waterford	3.07	Intermediate
C	933	Pacific Gas & Electric Co.	Fresno	3.03	Intermediate
S	1470	California Water Service Co.	Bakersfield	3.02	Intermediate
C	2684	City of Corcoran Public Works	Corcoran	2.98	Intermediate
N	4181	City of Modesto	Grayson	2.96	Intermediate
S	1494	California Water Service Co.	Bakersfield	2.92	Intermediate
S	9230	City of Tulare, Public Works, Water Dept.	Tulare	2.91	Intermediate
S	1164	Pacific Bell Telephone Co. dba AT&T CA	Mettler	2.89	Intermediate

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
N	4017	Comcast Cable Communications Inc.	Stockton	2.85	Intermediate
N	608	Pacific Gas & Electric Co.	Holt	2.81	Intermediate
N	7341	City of Patterson	Patterson	2.81	Intermediate
N	4653	City of Tracy	Tracy	2.81	Intermediate
S	9727	City of Delano	Delano	2.77	Intermediate
N	4525	City of Merced	Merced	2.73	Intermediate
N	7499	Travelcenters of America Operating Corp.	Livingston	2.72	Intermediate
S	6161	Level 3 Communications	Tulare	2.68	Intermediate
N	2874	Pacific Bell Telephone Co. (dba AT&T CA)	Planada	2.64	Intermediate
S	2483	Pacific Bell Telephone Co. (dba AT&T CA)	Woodlake	2.64	Intermediate
S	2847	California Water Service Co.	Bakersfield	2.62	Intermediate
S	1158	Pacific Bell Telephone Co. (dba AT&T CA)	Lebec	2.59	Intermediate
C	3296	Comcast Cable Communications Inc.	Fresno	2.59	Intermediate
N	9641	City of Modesto	Modesto	2.58	Intermediate
S	2476	Pacific Bell Telephone Co. (dba AT&T CA)	Pixley	2.58	Intermediate
N	2877	Pacific Bell Telephone Co. (dba AT&T CA)	Le Grand	2.54	Intermediate
C	2877	Del Rey Community Ser District	Del Rey	2.51	Intermediate
N	9919	Jim Todd C/O Todd Energy Corporation	Los Banos	2.47	Intermediate
S	2479	Pacific Bell Telephone Co. (dba AT&T CA)	Terra Bella	2.46	Intermediate
S	3035	California Water Service Co.	Bakersfield	2.45	Intermediate
C	3104	Housing Authority City of Madera	Madera	2.45	Intermediate
C	8773	New Cingular Wireless PCS, LLC dba AT&T	Chowchilla	2.45	Intermediate
S	2475	Pacific Bell Telephone Co. (dba AT&T CA)	Orosi	2.41	Intermediate
S	8762	Sully's Food Stores LLC	Bakersfield	2.39	Intermediate
S	2234	California Resources Elk Hills LLC	Tupman	2.38	Intermediate
S	9168	Elk Hills Power LLC	Tupman	2.38	Intermediate
N	9297	City of Oakdale	Oakdale	2.36	Intermediate
C	1649	Pacific Bell Telephone Co. (dba AT&T CA)	Avenal	2.34	Intermediate
S	2487	Pacific Bell Telephone Co. (dba AT&T CA)	Farmersville	2.33	Intermediate
C	1955	Biola Community Services Dist.	Biola	2.27	Intermediate

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
N	9555	BP Products North America Inc.	Modesto	2.26	Intermediate
S	8912	Sullivan Petroleum LLC	Bakersfield	2.25	Intermediate
C	2876	Malaga County Water District	Fresno	2.22	Intermediate
S	267	California Water Service Co	Visalia	2.18	Intermediate
S	6276	MCI	Bakersfield	2.12	Intermediate
C	1614	Fresno County Build Maintenance Div.	Fresno	2.10	Intermediate
S	4202	Housing Authority of the County of Kern	Bakersfield	2.08	Intermediate
N	4182	City of Modesto	Del Rio	2.07	Intermediate
S	3991	Foster Farms- Traver Feedmill	Traver	2.04	Intermediate
C	1648	Pacific Bell Telephone Co dba AT&T CA)	Stratford	2.03	Intermediate
C	9635	SCI California Funeral Services, Inc.	Reedley	2.02	Intermediate
S	8013	Sullivan Petroleum LLC	Bakersfield	2.01	Intermediate
C	9034	California Highway Patrol	Fresno	2.00	Intermediate
N	9529	Fam Autobody	Stockton	1.98	Intermediate
N	9686	San Joaquin County Office of Education	Stockton	1.98	Intermediate
S	1471	California Water Service Co.	Bakersfield	1.98	Intermediate
S	8351	Hope Elementary School	Porterville	1.95	Intermediate
S	1760	VSS Emultech	Bakersfield	1.95	Intermediate
N	2867	Pacific Bell Telephone Co. (dba AT&T CA)	Turlock	1.92	Intermediate
S	2489	Pacific Bell Telephone Co. (dba AT&T CA)	Ivanhoe	1.92	Intermediate
S	8918	Timothy Van Beek, SP dba Two Fiets	Tipton	1.91	Intermediate
N	9893	Westley Property LLC	Westley	1.89	Intermediate
C	3204	City of Fresno Water Division	Fresno	1.85	Intermediate
C	1664	Pacific Bell Telephone Co (dba AT&T CA)	Lemoore	1.85	Intermediate
C	3783	Cocola Broadcasting Companies	Fresno	1.84	Intermediate
N	8255	Linden County Water District	Linden	1.82	Intermediate
N	7839	Doctors Behavioral Health Center	Modesto	1.76	Intermediate
N	9927	ATC Sequoia LLC	Modesto	1.75	Intermediate
S	3675	Home Depot #6687	Bakersfield	1.73	Intermediate
C	3581	Millbrook Fresno LLC Db a Cottonwood Center	Fresno	1.73	Intermediate
N	9208	San Joaquin County	French Camp	1.68	Intermediate
S	2645	Horizon Nut LLC	Tulare	1.67	Intermediate

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S	2478	Pacific Bell Telephone Co. (dba AT&T CA)	Springville	1.67	Intermediate
C	3163	Kfsn-Tv/ABC Inc.	Meadow Lakes	1.66	Intermediate
C	3440	Sinclair Television-Fresno LLC-Kmph-TV	Fresno	1.66	Intermediate
C	9199	California Rock Crusher	Various Unspecified	1.65	Intermediate
S	9664	City of Shafter	Shafter	1.61	Intermediate
N	9993	Denair Community Service District	Denair	1.60	Intermediate
C	3316	City of Fresno Water Division	Fresno	1.57	Intermediate
N	9792	Home Depot USA, Inc.	Tracy	1.56	Intermediate
N	4730	City of Atwater	Atwater	1.51	Intermediate
N	474	Leprino Foods	Tracy	1.51	Intermediate
S	691	Bakersfield City C/O Cal Water	Bakersfield	1.50	Intermediate
N	9645	City of Lathrop	Lathrop	1.47	Intermediate
C	1951	California Water Service Co.	Selma	1.44	Intermediate
C	1952	California Water Service Co.	Selma	1.44	Intermediate
N	9912	Cepheid	Lodi	1.44	Intermediate
C	3552	City of Madera	Madera	1.44	Intermediate
N	2929	City of Stockton	Stockton	1.41	Intermediate
N	2861	Pacific Bell Telephone Co. (dba AT&T CA)	Knights Ferry	1.40	Intermediate
N	3521	City of Modesto, Public Works	Modesto	1.37	Intermediate
C	2438	City of Sanger	Sanger	1.36	Intermediate
C	195	CA State Prison - Avenal	Avenal	1.34	Intermediate
N	4149	Keyes Community Services Dist.	Keyes	1.34	Intermediate
C	954	Prison Industry Authority - Avenal	Avenal	1.34	Intermediate
S	614	California Water Service Co.	Visalia	1.33	Intermediate
C	2042	J.W. Myers Inc.-Chevron	Madera	1.33	Intermediate
N	8803	Walmart Store #5843	Patterson	1.33	Intermediate
N	2942	City of Ripon	Ripon	1.33	Intermediate
S	2924	Wasco City Westside Pump Station	Wasco	1.31	Intermediate
C	2882	County of Kings	Kettleman City	1.31	Intermediate
C	544	Fresno County Service Area #31	Shaver Lake	1.31	Intermediate
N	9817	7-Eleven Store #41187	Stockton	1.30	Intermediate
S	3857	California Water Service Co.	Bakersfield	1.28	Intermediate
N	3995	City of Escalon	Escalon	1.28	Intermediate
N	9478	City of Modesto	Modesto	1.28	Intermediate

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
C	7868	Home Garden Community Service District	Hanford	1.28	Intermediate
N	9935	Amazon.com Services LLC-SCK9	Stockton	1.26	Intermediate
S	2485	Pacific Bell Telephone Co. (dba AT&T CA)	Camp Nelson	1.23	Intermediate
N	8102	Anthony Souza	Tracy	1.22	Intermediate
S	6860	California Water Service Co.	Bakersfield	1.22	Intermediate
C	2361	Madera Valley Water Company	Madera	1.20	Intermediate
N	7386	City of Ripon - Public Works	Ripon	1.19	Intermediate
S	799	California Water Service Co.	Visalia	1.19	Intermediate
S	9805	American Towers LLC	Bakersfield	1.19	Intermediate
N	1910	Crystal Creamery, Inc.	Modesto	1.17	Intermediate
S	6541	California Water Service Co.	Bakersfield	1.16	Intermediate
S	9141	El Centro Corner Petroleum LLC	Visalia	1.16	Intermediate
C	7569	Kuldeep Dhaliwal	Coalinga	1.11	Intermediate
S	9760	American Towers LLC	Bakersfield	1.09	Intermediate
S	258	California Water Service Co.	Visalia	1.09	Intermediate
N	9420	Department of Transportation	Los Banos	1.08	Intermediate
S	1377	California Water Service Co.	Bakersfield	1.07	Intermediate
S	3234	KGET-TV 17	Bakersfield	1.06	Intermediate
C	3705	Lowe's HIW Inc. #795	Fresno	1.06	Intermediate
C	1646	Pacific Bell dba SBC	Parlier	1.04	Intermediate
C	1814	Pacific Bell Telephone Co. (dba AT&T CA)	Chowchilla	1.04	Intermediate
N	9872	City of Newman	Newman	1.03	Intermediate
N	2010	George W. Lowry, Inc.	Modesto	1.03	Intermediate
C	1662	Pacific Bell Telephone Co. (dba AT&T CA)	Kingsburg	1.02	Intermediate
C	8740	Kings Nursing & Rehabilitation Center	Hanford	1.00	Exempt/Low
N	3973	Level 3 Communications LLC	Modesto	0.99	Exempt/Low
N	4585	The Dimare Company	Newman	0.98	Exempt/Low
N	7480	Canary Renewables Corp.	Stockton	0.97	Exempt/Low
S	1475	California Water Service Co.	Bakersfield	0.96	Exempt/Low
C	3885	City of Fresno, Police Dept.	Fresno	0.95	Exempt/Low
N	3692	Pacific Bell Telephone Co. (dba AT&T CA)	Lockeford	0.94	Exempt/Low
S	8521	Express Messenger Systems Inc.	Visalia	0.92	Exempt/Low
S	1689	Quality Refinishing	Bakersfield	0.92	Exempt/Low
S	1491	California Water Service Co.	Bakersfield	0.91	Exempt/Low

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
S	9656	Rocket #0255	Goshen	0.90	Exempt/Low
S	4124	California Water Service	Bakersfield	0.90	Exempt/Low
S	2481	Pacific Bell Telephone Co. (dba AT&T CA)	Tipton	0.88	Exempt/Low
N	1248	Foster Poultry Farms-Kopro	Livingston	0.88	Exempt/Low
S	266	California Water Service Co.	Visalia	0.87	Exempt/Low
N	3673	City of Ripon	Ripon	0.84	Exempt/Low
S	3315	Porterville Fire Dept.	Porterville	0.83	Exempt/Low
C	3030	Frontier California Inc.	Squaw Valley	0.82	Exempt/Low
C	3327	Qwest Communications Co LLC/Centurylink	Fresno	0.81	Exempt/Low
C	3250	KGPE Television	Auberry	0.81	Exempt/Low
N	3113	San Joaquin Co. Public Works	Manteca	0.79	Exempt/Low
C	1661	Pacific Bell Telephone Co. (dba AT&T CA)	Huron	0.79	Exempt/Low
C	1667	Pacific Bell Telephone Co. (dba AT&T CA)	Madera	0.77	Exempt/Low
S	268	California Water Service Co.	Visalia	0.77	Exempt/Low
S	183	Crop Production Services Inc.	Alpaugh	0.77	Exempt/Low
C	1654	Pacific Bell Telephone Co. (dba AT&T CA)	Del Rey	0.76	Exempt/Low
C	1651	Pacific Bell Telephone Co. (dba AT&T CA)	Caruthers	0.72	Exempt/Low
C	9930	Amazon.com Services LLC	Fresno	0.72	Exempt/Low
S	265	California Water Service Co.	Visalia	0.72	Exempt/Low
C	4168	City of San Joaquin	San Joaquin	0.70	Exempt/Low
N	4009	Level 3 Communications LLC	Winton	0.70	Exempt/Low
N	5404	JCPenney Company	Merced	0.69	Exempt/Low
S	2480	Pacific Bell dba SBC	Three Rivers	0.69	Exempt/Low
N	4530	City of Merced	Merced	0.67	Exempt/Low
N	5088	JCPenney Company	Modesto	0.66	Exempt/Low
N	472	Lawrence Livermore Natl Security, LLC	Tracy	0.65	Exempt/Low
N	4183	City of Waterford	Waterford	0.64	Exempt/Low
C	1645	Pacific Bell Telephone Co. (dba AT&T CA)	Riverdale	0.64	Exempt/Low
N	9730	Vanguard of California	Stockton	0.63	Exempt/Low
N	3555	Pacific Bell Telephone Co. (dba AT&T CA)	Manteca	0.62	Exempt/Low
S	2484	Pacific Bell Telephone Co. (dba AT&T CA)	Ash Mountain	0.61	Exempt/Low
C	2179	Sierra Unified School District	Prather	0.61	Exempt/Low
N	9059	New Cingular Wireless Pcs LLC	El Nido	0.607	Exempt/Low

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
		dba AT&T			
S	7131	AT&T Corp	Mckittrick	0.604	Exempt/Low
C	1663	Pacific Bell Telephone Co (dba AT&T CA)	Laton	0.569	Exempt/Low
N	4289	MCI Worldcom	Turlock	0.562	Exempt/Low
C	4261	Seaboard Energy California, LLC	Madera	0.56	Exempt/Low
C	9418	Del Rey CSD	Del Rey	0.553	Exempt/Low
C	70	Burrows & Castadio Inc.	Lemoore	0.548	Exempt/Low
N	4358	City of Livingston	Livingston	0.541	Exempt/Low
N	9679	Pacific Gas & Electric Company	Merced	0.533	Exempt/Low
S	263	California Water Service Co.	Visalia	0.532	Exempt/Low
N	3817	Covanta Stanislaus, Inc.	Crows Landing	0.526	Exempt/Low
S	2418	Jeffries Brothers Inc.	Buttonwillow	0.52	Exempt/Low
N	9850	7-Eleven, Inc.	Stockton	0.511	Exempt/Low
S	9698	7-Eleven, Inc. #41516	Bakersfield	0.511	Exempt/Low
C	9075	New Cingular Wireless Pcs, LLC dba AT&T	Firebaugh	0.506	Exempt/Low
N	4096	MCI World Com Corp	Lodi	0.503	Exempt/Low
C	3240	Hanford Mall	Hanford	0.497	Exempt/Low
S	3708	California Water Service Co.	Bakersfield	0.494	Exempt/Low
N	3691	Pacific Bell Telephone Co. (dba AT&T CA)	Thornton	0.493	Exempt/Low
S	1375	Ming Property LLC	Bakersfield	0.488	Exempt/Low
C	8894	Fedex Ground	Fresno	0.473	Exempt/Low
N	7768	Modesto Irrigation District	Modesto	0.467	Exempt/Low
N	9180	City of Lathrop - Lathrop Well #10	Lathrop	0.459	Exempt/Low
C	8188	State of California Dept. of Transportation	Miramonte	0.452	Exempt/Low
C	9091	Eriksson LLC	Riverdale	0.449	Exempt/Low
C	1650	Pacific Bell Telephone Co. (dba AT&T CA)	Burrel	0.448	Exempt/Low
S	1487	California Water Service Co.	Bakersfield	0.44	Exempt/Low
N	4306	City of Los Banos	Los Banos	0.438	Exempt/Low
C	3502	Sears Roebuck & Co. #1098	Clovis	0.423	Exempt/Low
N	3996	Level 3 Communications LLC	Tracy	0.403	Exempt/Low
S	3977	California Water Service Co	Bakersfield	0.399	Exempt/Low
N	4603	City of Manteca	Manteca	0.392	Exempt/Low
N	2909	Pacific Bell Telephone Co (DbA AT&T CA)	Modesto	0.382	Exempt/Low
C	7256	Garry Packing, Inc.	Del Rey	0.365	Exempt/Low

Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
N	4742	Hilmar County Water District	Hilmar	0.365	Exempt/Low
S	4266	City of Bakersfield / CA Water Services	Bakersfield	0.358	Exempt/Low
C	1644	Pacific Bell Telephone Co. (dba AT&T CA)	Orange Cove	0.354	Exempt/Low
C	2124	Biola Community Services Dist.	Biola	0.344	Exempt/Low
C	973	Fig Garden Packing Inc.	Fresno	0.334	Exempt/Low
N	5024	City of Los Banos Fire Department	Los Banos	0.333	Exempt/Low
N	4334	City of Manteca	Manteca	0.33	Exempt/Low
S	5256	California Water Service Co	Visalia	0.327	Exempt/Low
S	4226	Golden Empire Concrete Products	Bakersfield	0.322	Exempt/Low
N	9861	Prologis	Tracy	0.318	Exempt/Low
S	2951	Taft City Wastewater Plant	Taft	0.305	Exempt/Low
S	8652	Verizon Wireless Tulare	Tulare	0.296	Exempt/Low
C	4057	Cocola Broadcasting Companies LLC	Auberry	0.274	Exempt/Low
N	9373	City of Livingston	Livingston	0.259	Exempt/Low
N	3516	City of Modesto	Modesto	0.254	Exempt/Low
C	1987	Ponderosa Paint Co., Inc.	Fresno	0.254	Exempt/Low
S	3547	California Water Service	Bakersfield	0.25	Exempt/Low
N	4097	Level 3 Communications LLC	Stockton	0.245	Exempt/Low
C	3425	Comcast Cable Communications Inc.	Clovis	0.241	Exempt/Low
N	8549	Department of Transportation	Terminous	0.24	Exempt/Low
C	1868	Manheim Central CA/TRA-Central CA	Fresno	0.24	Exempt/Low
N	3344	MCI Telecommunications Corp.	Manteca	0.24	Exempt/Low
N	9381	Oak Ridge Winery LLC	Lodi	0.24	Exempt/Low
S	8711	Verizon Wireless - "Belridge & Hwy 33"	Lost Hills	0.237	Exempt/Low
C	3038	County of Fresno	Clovis	0.236	Exempt/Low
C	9248	Faraday & Future, Inc.	Hanford	0.232	Exempt/Low
N	4515	Central Valley Broadcasting	Merced	0.225	Exempt/Low
N	3263	City of Lathrop	Lathrop	0.212	Exempt/Low
C	9397	A1 Blasting	Various Unspecified	0.211	Exempt/Low
C	3546	Madera County	Madera	0.207	Exempt/Low
N	9530	City of Manteca	Manteca	0.204	Exempt/Low
S	1495	California Water Service Co.	Bakersfield	0.199	Exempt/Low
C	2404	Lotus Communications, Corp	Fresno	0.195	Exempt/Low
C	3847	City of Clovis	Clovis	0.191	Exempt/Low

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
N	4108	City of Los Banos	Los Banos	0.191	Exempt/Low
N	9585	McFadden Construction	Stockton	0.182	Exempt/Low
C	1656	Pacific Bell Telephone Co. (dba AT&T CA)	Five Points	0.177	Exempt/Low
S	3925	City of Delano CCF	Delano	0.176	Exempt/Low
S	9165	M.O Dion & Sons, Inc.	Bakersfield	0.172	Exempt/Low
S	7254	Goertzen Quality Gypsum	Bakersfield	0.171	Exempt/Low
C	9426	Superior Soils Supplements, LLC	Mendota	0.166	Exempt/Low
S	264	California Water Service Co.	Visalia	0.158	Exempt/Low
S	4248	California Water Services Co. Station 218	Bakersfield	0.158	Exempt/Low
N	5977	City of Turlock	Turlock	0.158	Exempt/Low
C	3710	City of Huron	Huron	0.156	Exempt/Low
N	3784	Kohl's Department Stores Inc.	Merced	0.151	Exempt/Low
C	3517	Clovis Unified School District	Clovis	0.149	Exempt/Low
C	3000	Clovis Unified School District	Clovis	0.144	Exempt/Low
N	1980	Evergreen Beverage Packaging	Turlock	0.141	Exempt/Low
C	9338	Gar Bennett, LLC	Reedley	0.14	Exempt/Low
C	3081	Quail Lake LLC	Clovis	0.134	Exempt/Low
N	9075	City of Tracy Utilities Dept.	Tracy	0.129	Exempt/Low
C	4044	Fresno Unified School District	Fresno	0.125	Exempt/Low
S	3503	KTFF - Telefutura	Tulare	0.119	Exempt/Low
C	3527	Educational Employees C.U.	Fresno	0.115	Exempt/Low
C	9024	New Cingular Wireless Pcs, LLC dba AT&T	Fresno	0.112	Exempt/Low
N	3397	San Joaquin County Svc Area 31	Lodi	0.11	Exempt/Low
N	9073	New Cingular Wireless Pcs LLC dba AT&T	Gustine	0.109	Exempt/Low
S	6533	City of Dinuba	Dinuba	0.0891	Exempt/Low
C	351	City of Clovis	Clovis	0.0849	Exempt/Low
S	1196	Plains Pipeline LP	Kern	0.0817	Exempt/Low
C	3511	Educational Employee Federal Credit Union	Fresno	0.081	Exempt/Low
C	3379	Ross Aviation Investment, LLC	Fresno	0.0776	Exempt/Low
N	3948	City of Riverbank	Riverbank	0.077	Exempt/Low
N	4652	Winton Water And Sanitary District	Winton	0.072	Exempt/Low
N	9371	Mcmanis Family Vineyards	Ripon	0.0719	Exempt/Low
N	4109	City of Los Banos	Los Banos	0.0636	Exempt/Low
S	3159	Plains Pipeline LP	Bakersfield	0.0622	Exempt/Low

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
N	8949	City of Tracy Dept. of Emergency Services	Tracy	0.062	Exempt/Low
C	9097	California Resources Production Corp.	Fresno	0.0464	Exempt/Low
C	7958	City of Firebaugh	Firebaugh	0.0456	Exempt/Low
N	8643	Graham Packaging LC LP Plant 0176	Modesto	0.041	Exempt/Low
S	9447	Porterville Rock And Recycle	Porterville	0.0402	Exempt/Low
N	3944	Salida Sanitary District	Salida	0.0398	Exempt/Low
N	7676	City of Dos Palos	Dos Palos	0.0383	Exempt/Low
N	7895	City of Oakdale	Oakdale	0.0352	Exempt/Low
N	7675	City of Dos Palos	Dos Palos	0.0342	Exempt/Low
N	3735	City of Tracy	Tracy	0.034	Exempt/Low
C	3791	CVIN LLC	Kettleman City	0.03	Exempt/Low
C	2906	City of Clovis	Clovis	0.0262	Exempt/Low
N	9524	Lathrop-Manteca Fire Station 35	Lathrop	0.0203	Exempt/Low
S	3624	Frontier California Inc.	Kings Canyon National Park	0.0161	Exempt/Low
S	3283	Terra Bella Irrigation Dist.	Terra Bella	0.0159	Exempt/Low
S	3559	Delaware North Parks Services	Sequoia National Park	0.014	Exempt/Low
N	4083	City of Riverbank	Riverbank	0.013	Exempt/Low
N	1004	CSREH Charter 540 E Main, LLC	Stockton	0.0127	Exempt/Low
S	7653	Edison Beneficial Reuse	Bakersfield	0.0124	Exempt/Low
S	8216	Kern County Fire Department Station #65	Bakersfield	0.00532	Exempt/Low
C	3196	Pacific Gas & Electric Co.	Shaver Lake	0.00332	Exempt/Low
S	9018	City of Woodlake	Woodlake	0.003	Exempt/Low
N	3383	David J. M. Field	Farmington	0.003	Exempt/Low
C	2875	Malaga County Water District	Fresno	0.00289	Exempt/Low
N	3380	David J. M. Field	Patterson	0.002	Exempt/Low
C	9548	Left Mendota 1, LLC	Mendota	0.00149	Exempt/Low
N	8950	City of Tracy Dept. of Emergency Services	Tracy	0.001	Exempt/Low
N	3663	Kabariti's AM/PM	Lathrop	0	Exempt/Low
S	1480	California Water Service Co.	Bakersfield	0	Exempt/Low
S	1492	California Water Service Co.	Bakersfield	0	Exempt/Low
N	7985	Cardoza Enterprises	Manteca	0	Exempt/Low
N	9782	Carriage Services Inc.	Manteca	0	Exempt/Low
N	4729	City of Atwater	Atwater	0	Exempt/Low

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Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
C	2904	City of Clovis	Clovis	0	Exempt/Low
C	2905	City of Clovis	Clovis	0	Exempt/Low
C	2907	City of Clovis	Clovis	0	Exempt/Low
C	3590	City of Clovis-Public Utility	Clovis	0	Exempt/Low
C	3266	City of Fresno Water Division	Fresno	0	Exempt/Low
C	3315	City of Fresno Water Division	Fresno	0	Exempt/Low
C	3317	City of Fresno Water Division	Fresno	0	Exempt/Low
C	3319	City of Fresno Water Division	Fresno	0	Exempt/Low
C	3320	City of Fresno Water Division	Fresno	0	Exempt/Low
N	4551	City of Gustine	Gustine	0	Exempt/Low
N	4360	City of Livingston	Livingston	0	Exempt/Low
N	4465	City of Lodi Station #13	Lodi	0	Exempt/Low
N	4107	City of Los Banos	Los Banos	0	Exempt/Low
C	3751	City of Parlier	Parlier	0	Exempt/Low
C	3753	City of Parlier	Parlier	0	Exempt/Low
N	7384	City of Ripon- Public Works	Ripon	0	Exempt/Low
N	3959	City of Riverbank	Riverbank	0	Exempt/Low
N	3960	City of Riverbank	Riverbank	0	Exempt/Low
N	3961	City of Riverbank	Riverbank	0	Exempt/Low
C	9725	City of Sanger	Sanger	0	Exempt/Low
N	5976	City of Turlock	Turlock	0	Exempt/Low
N	5979	City of Turlock	Turlock	0	Exempt/Low
C	2307	CLF Fresno Business Trust	Fresno	0	Exempt/Low
C	3282	County of Kings	Hanford	0	Exempt/Low
S	2025	Earlimart Public Utility Dist.	Earlimart	0	Exempt/Low
N	3255	Lowe's Home Centers, LLC	Tracy	0	Exempt/Low
S	7506	Nelson's Ace Hardware	Visalia	0	Exempt/Low
C	916	Patton Sheet Metal	Fresno	0	Exempt/Low
S	3438	Sinclair Television-Fresno LLC-KMPH-TV	Sequoia National Forest	0	Exempt/Low
S	3456	Sinclair Television-Fresno LLC-KMPH-TV	Springville	0	Exempt/Low
N	8045	Strand Ace Hardware, Inc.	Modesto	0	Exempt/Low
N	10041	Tripoint Building 5, LLC	Lathrop	0	Exempt/Low
N	10040	Tripoint Building 7, LLC	Lathrop	0	Exempt/Low
S	7448	Tulare Co RMA Delft Colony Water	Dinuba	0	Exempt/Low
S	7447	Tulare County RMA - Solid Waste	Exeter	0	Exempt/Low

Region	Facility ID	Facility Name	City	Prioritization Score	Prioritization Category
C	3630	XPO Logistics Freight, Inc.- UKC	Kettleman City	0	Exempt/Low

Table A2. Facilities with Health Risk Assessments Performed in 2023

Region	Facility ID	Facility Name	City	Cancer Score	Acute Score	Chronic Score	Risk Category
S	3149	Frontier California Inc.	Lindsay	8.89	0.00	0.00	Intermediate Risk
N	3357	City of Lathrop	Lathrop	8.67	0.00	0.00	Intermediate Risk
N	3577	West Valley Mall	Tracy	8.16	0.00	0.01	Intermediate Risk
S	1173	Pacific Bell Telephone Co. (dba AT&T CA)	Oildale	7.86	0.00	0.00	Intermediate Risk
N	3550	City of Modesto	Modesto	7.75	0.00	0.00	Intermediate Risk
N	3649	Pacific Bell Telephone Co. (dba AT&T Ca)	Stockton	6.97	0.00	0.00	Intermediate Risk
C	1933	City of Fresno Water Division	Fresno	5.99	0.00	0.00	Intermediate Risk
S	3347	Level 3 Communications	Delano	5.86	0.00	0.00	Intermediate Risk
C	2500	Comcast Cable Communications Inc.	Hanford	5.66	0.00	0.00	Intermediate Risk
C	2948	Comcast Cable Communications Inc.	Reedley	5.62	0.00	0.00	Intermediate Risk
S	3203	Valley Strong Credit Union	Bakersfield	4.93	0.00	0.00	Intermediate Risk
S	12	Judicial Council of California JCC 15-C1	Bakersfield	4.71	0.00	0.00	Intermediate Risk
S	3984	Bowman Asphalt Inc.	Bakersfield	4.71	0.54	0.11	Intermediate Risk
C	6923	Ampersand Chowchilla Biomass LLC	Chowchilla	4.68	0.09	0.16	Intermediate Risk
S	13	Kern County General Services	Bakersfield	4.63	0.00	0.00	Intermediate Risk
S	3526	City of Porterville	Porterville	4.48	0.00	0.00	Intermediate Risk
N	7617	USA Waste of California, Inc.	Lathrop	3.84	0.89	0.05	Intermediate Risk
N	624	Park View Mausoleum & Crematory	Manteca	3.65	0.11	0.34	Intermediate Risk
S	1482	California Water Service Co.	Bakersfield	2.95	0.00	0.00	Intermediate Risk
S	6847	Kern County Water Agency	Bakersfield	2.39	0.00	0.00	Intermediate Risk
N	3165	City of Modesto	Modesto	2.29	0.00	0.00	Intermediate Risk
N	3509	City of Lodi (Water Well #9)	Lodi	2.26	0.00	0.00	Intermediate Risk
S	2198	Pacific Bell Telephone Co. dba AT&T CA	Tulare	2.18	0.00	0.00	Intermediate Risk
N	4520	City of Merced	Merced	1.96	0.00	0.00	Intermediate Risk
S	3343	Level 3 Communications	Arvin	1.96	0.00	0.00	Intermediate Risk

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Region	Facility ID	Facility Name	City	Cancer Score	Acute Score	Chronic Score	Risk Category
S	3362	City of Shafter	Shafter	1.91	0.00	0.00	Intermediate Risk
N	3304	City of Modesto	Modesto	1.56	0.00	0.00	Intermediate Risk
N	3164	City of Modesto	Modesto	1.50	0.00	0.00	Intermediate Risk
N	3998	Remembrance Cremation Center	Atwater	1.40	0.14	0.11	Intermediate Risk
N	3511	City of Lodi (Water Well #7)	Lodi	1.37	0.00	0.00	Intermediate Risk
N	3541	Federal Aviation Admin	Stockton	1.31	0.00	0.00	Intermediate Risk
N	3085	City of Modesto	Modesto	0.88	0.00	0.00	Exempt/Low Risk
C	2950	Geil Enterprises Inc.	Fresno	0.77	0.00	0.00	Exempt/Low Risk
N	7771	Modesto Irrigation District	Modesto	0.70	0.00	0.00	Exempt/Low Risk
S	3530	County of Tulare Resource Mgmt.	Visalia	0.68	0.00	0.00	Exempt/Low Risk
S	3704	Level 3 Communications LLC	Bakersfield	0.29	0.00	0.00	Exempt/Low Risk
N	2907	Pacific Bell Telephone Co. (dba AT&T CA)	Modesto	0.28	0.00	0.00	Exempt/Low Risk
N	3863	City of Lodi	Lodi	0.24	0.00	0.00	Exempt/Low Risk

Figure A1. Map of Intermediate Facilities Assessed in 2023

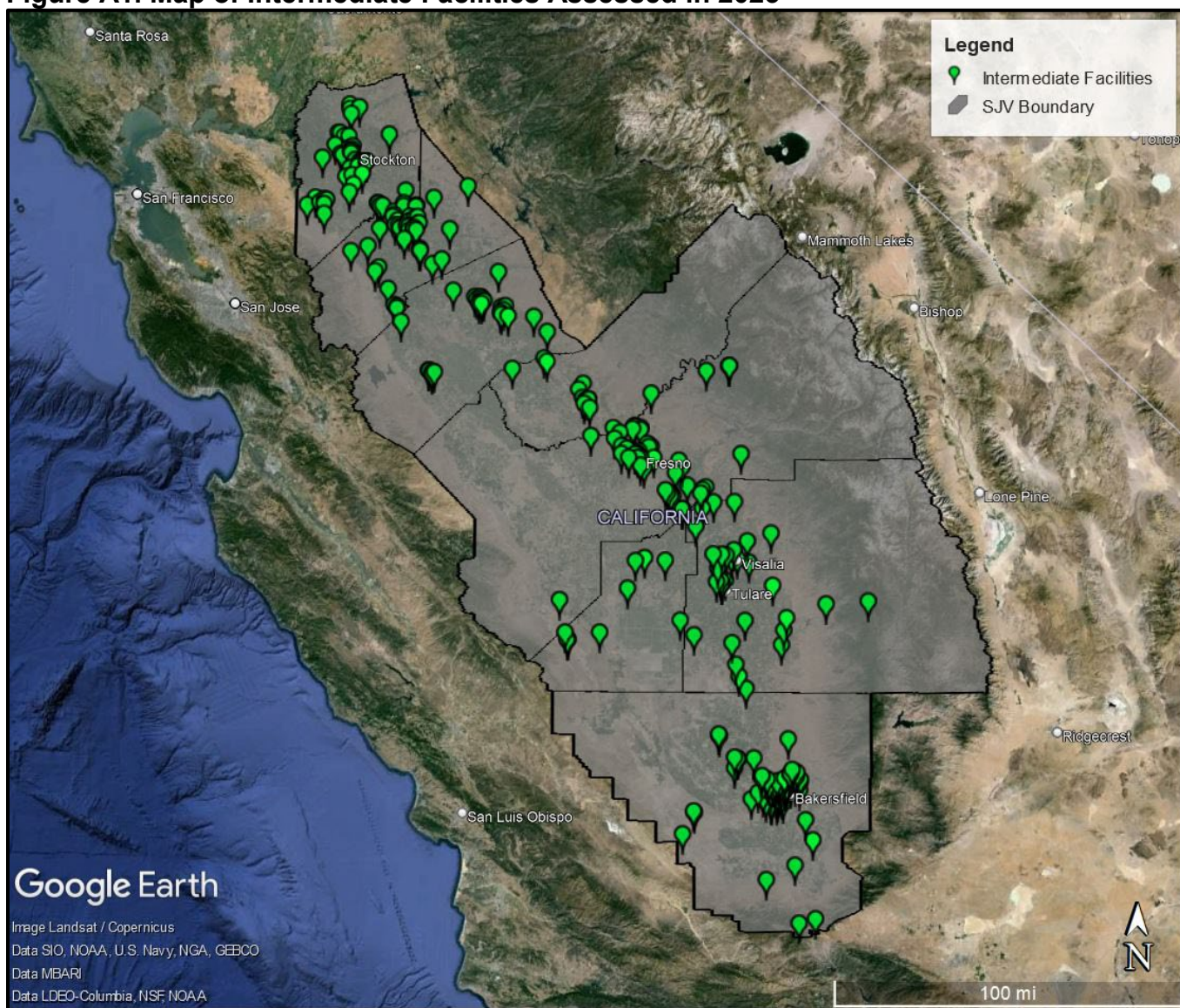
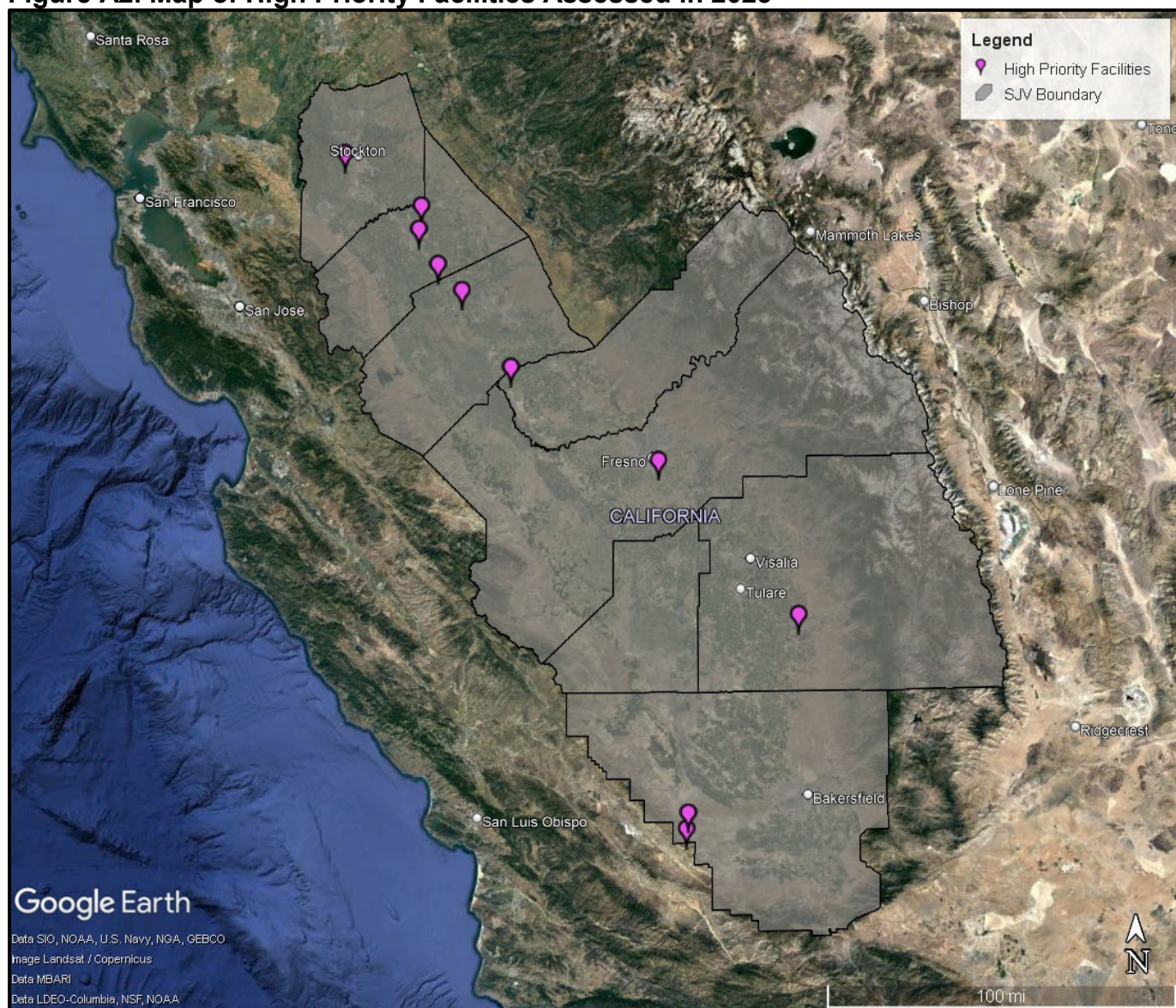


Figure A2. Map of High Priority Facilities Assessed in 2023



Appendix B. Update Summary Facilities Evaluated

Appendix B includes facilities that were re-evaluated as an update summary project.

Table B1. Update Summary Facilities Assessed in 2023

Region	Facility ID	Facility Name	City	Reinstatement Required
C	4071	Algonquin Power Sanger LLC	Sanger	Yes
N	7856	Family Pet Mortuary	Turlock	Yes
S	3991	Foster Farms- Traver Feedmill	Traver	Yes
S	3860	GMC Roofing & Paper Products	Shafter	Yes
S	8132	Golden Valley Crematory	Bakersfield	Yes
S	301	R B & J Industries Inc.	Dinuba	Yes
C	7832	Advanced Drainage System Inc.	Madera	No
N	4408	Aero Turbine Inc.	Stockton	No
N	1166	Andersen Nut Company	Gustine	No
S	3232	Bakersfield Metropolitan Landfill at Bena	Edison	No
S	3435	Best Buy	Dinuba	No
S	1876	Bluescope Buildings North America Inc.	Visalia	No
C	7542	Buttonwillow Warehouse Co	Corcoran	No
S	864	Cal Dept. of Corrections Delano	Delano	No
S	559	Cal Dept. of Corrections Wasco	Wasco	No
N	1363	California Dairies, Inc.	Los Banos	No
S	382	California Resources Elk Hills LLC	Kern	No
S	1738	California Resources Production Corp.	Kern	No
S	8282	California Resources Production Corp.	Kern	No
S	8454	California Resources Production Corp.	Kern	No
N	1788	California State University	Turlock	No
S	97	Carrage Funeral Services of California	Bakersfield	No
C	628	Cbus Ops dba Mission Bell Winery	Madera	No
N	2321	Cbus Ops Inc (dba Woodbridge Winery)	Acampo	No
C	252	Central Cal Women's Facility	Chowchilla	No
N	2518	Chemical Transfer Co., Inc.	Stockton	No
C	9095	Chevron Pipe Line Company	Kettleman Hills	No
N	3266	Chinchiolo Stemilt California LLC	Stockton	No
C	3913	City of Clovis	Clovis	No
N	7827	City of Modesto Composting Facility	Modesto	No
C	343	Clovis Unified School District	Clovis	No
C	4051	Coalinga State Hospital	Coalinga	No
N	230	Con-Fab California LLC	Lathrop	No
C	4163	Del Rey Packing	Del Rey	No
S	8504	Delano Rock And Asphalt LLC	Delano	No

Region	Facility ID	Facility Name	City	Reinstatement Required
N	283	Deuel Vocational Institute	Tracy	No
S	879	Dreyer's Grand Ice Cream	Bakersfield	No
S	2821	Drilling & Production Co.	Kern County	No
N	3386	E & J Gallo Winery	Modesto	No
N	7478	E&J Gallo – Spirits	Modesto	No
N	4939	E&J Gallo Winery - Turner Road Vinters	Lodi	No
C	3733	Evergreen Cremation Service of California	Fresno	No
N	4070	Foothill Sanitary Landfill	Linden	No
N	3838	Frazier Nut Farms, Inc.	Waterford	No
N	3309	G3 Enterprises, Label Division	Modesto	No
C	2265	Gary V. Burrows Inc.	Corcoran	No
C	7218	Golden State Crematory Inc.	Fresno	No
S	724	Grade 6 Oil, LLC - Western Power & Steam	Bakersfield	No
S	3078	Griffith Co.	Tejon Ranch	No
S	381	Heck Cellars	Digiorgio	No
N	7416	Helena Agri-Enterprises, LLC	Modesto	No
N	8533	Highway 59 Composting Facility	Merced	No
N	2140	Hunt & Sons Inc.	Newman	No
N	1380	Hunt & Sons Inc.	Atwater	No
N	2307	Hunt N Sons Inc.	Modesto	No
N	421	International Paper	Tracy	No
C	1713	J W Myers, Incorporated	Coarsegold	No
N	1161	J.R. Simplot / French Camp	French Camp	No
S	6458	Kern County Water Agency	Bakersfield	No
S	4128	Kern Valley State Prison	Delano	No
C	724	Kings County Public Works Dept.	Hanford	No
C	234	Kraft Heinz Foods Company	Fresno	No
N	2000	Lakewood Memorial Park	Hughson	No
C	848	Moore Quality Galvanizing	Madera	No
C	2341	NAS Lemoore	Lemoore	No
S	3434	Newby Rubber Inc.	Bakersfield	No
N	139	Nutrien Ag Solutions	Stockton	No
C	629	O'Neill Beverages Co LLC	Parlier	No
S	3636	Pastoria Energy Facility LLC	Lebec	No
S	71	Plains LPG Services LP	Shafter	No
S	185	Porterville Developmental Center	Porterville	No
N	1646	QG Printing li LLC	Merced	No
S	4254	Salser & Dillard Funeral Chapel	Visalia	No
C	3029	San Joaquin Figs	Fresno	No

Region	Facility ID	Facility Name	City	Reinstatement Required
N	1655	Santa Fe Aggregates, Inc.	Winton	No
C	1080	Scelzi Enterprises Inc.	Fresno	No
N	9137	Shepard Bros, Inc.	Stockton	No
N	1717	Silgan Container Corp.	Modesto	No
C	393	Silvas Oil Company, Inc.	Fresno	No
N	2177	Sky Trek Aviation Fuels Inc.	Modesto	No
N	4986	State of California, Dept. of Trans	Stockton	No
N	913	Stockton Metropolitan Airport	Stockton	No
N	571	Stockton Port District	Stockton	No
N	4058	Stockton Rubber Mfg. Co., Inc.	Linden	No
N	810	Stockton Tri Industries, LLC	Stockton	No
N	825	Stockton Wood Shavings Company	French Camp	No
S	1602	The Boeing Co.	Taft	No
N	956	The Wine Group, Inc.	Ripon	No
N	3187	Tracy Material Recovery	Tracy	No
S	548	Tulare City Wastewater Plant	Tulare	No
N	754	US Army Garrison Presidio of Monterey	Lathrop	No
N	8114	Valley Custom Powder Coating	Lathrop	No
N	2820	Vanderlans & Sons, Inc.	Lodi	No
C	1344	Vie-Del Winery #1	Fresno	No
N	7989	Wilbur-Ellis Company - Manteca	Manteca	No

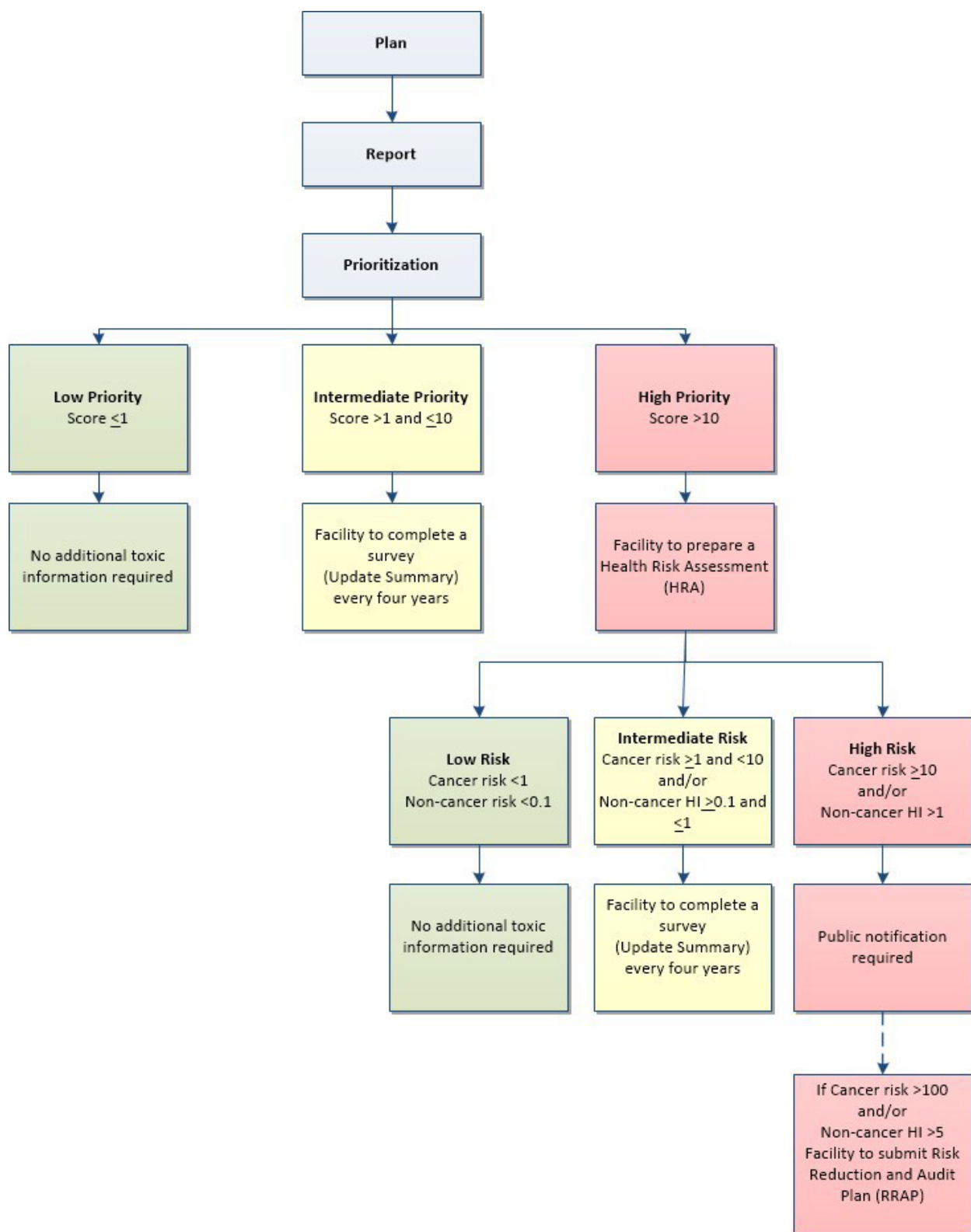
Appendix C. Toxics Emissions Summary

Emissions for eight counties of San Joaquin Valley from the latest California Air Resources Board California Toxics Inventory (CTI).

Table C1. Toxic Emissions Summary

Pollutant	CTI (tons/yr)
Acetaldehyde	3,512
Diesel Particulate Matter	2,520
Formaldehyde	2,318
Benzene	1,020
Perchloroethylene	448
1,3-Butadiene	269
Methylene Chloride	247
PAHs	238
Manganese	217
Acrolein	153
p-Dichlorobenzene	130
Styrene	96
Trichloroethylene	46
Chromium	34
Lead	28
Nickel	18
Acrylonitrile	7
Vinyl Chloride	7
Arsenic	5
Cadmium	3
Mercury	2
Chloroform	2
Ethylene Oxide	0
Ethylene Dichloride	0
Beryllium	0
Carbon Tetrachloride	0
Dioxins/Benzofurans	0
Chromium, Hexavalent	0

Appendix D. AB 2588 District Implementation Flow Chart



Appendix E. Current Status of NESHAP Delegation

National Emission Standards for Hazardous Air Pollutants (NESHAP) for which authority has been delegated to the District are included in District Rule 4002. This rule incorporates the NESHAPs from Part 61, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (Table E.1), and the NESHAPs for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (Table E.2).

Table E1. District Delegated NESHAPs from Part 61, Chapter I, Subchapter C, Title 40, Code of Federal Regulations.

Subpart	Description
A	General Provisions
C	National Emission Standard for Beryllium
D	National Emission Standard for Beryllium Rocket Motor Firing
E	National Emission Standard for Mercury
F	National Emission Standard for Vinyl Chloride
J	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
L	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
M	National Emission Standard for Asbestos
N	National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants
O	National Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters
P	National Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities
V	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
Y	National Emission Standard for Benzene Emissions from Benzene Storage Vessels
BB	National Emission Standard for Benzene Emissions from Benzene Transfer Operations
FF	National Emission Standard for Benzene Waste Operations

Table E2. District Delegated NESHAPs from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations.

Subpart	Description
A	General Provisions
F-I	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry
J	National Emission Standards for Hazardous Air Pollutants from Polyvinyl Chloride and Copolymers Production
L	National Emission Standards for Coke Oven Batteries
R	National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)
S	National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry
T	National Emission Standards for Halogenated Solvent Cleaning (except §63.462 - Batch cold cleaning machine standards)
U	National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins
W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production
X	National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting
Y	National Emission Standards for Marine Tank Vessel Loading Operations AA National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants
BB	National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants
CC	National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries
DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations
EE	National Emission Standards for Magnetic Tape Manufacturing Operations
GG	National Emission Standards for Aerospace Manufacturing and Rework Facilities
HH	National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities
II	National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)
JJ	National Emission Standards for Wood Furniture Manufacturing Operations
KK	National Emission Standards for the Printing and Publishing Industry
LL	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants
MM	National Emission Standards for Hazardous Air Pollutants from Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills
YY	National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology (Generic MACT)
CCC	National Emission Standards for Hazardous Air Pollutants for Steel Pickling--HCl Process Facilities and Hydrochloric Acid Regeneration Plants
DDD	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production
GGG	National Emission Standards for Hazardous Air Pollutants from Pharmaceutical Production
HHH	National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities
III	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production

Subpart	Description
JJJ	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
LLL	National Emission Standards for Hazardous Air Pollutants for Source Categories; Portland Cement Manufacturing Industry
MMM	National Emission Standards for Hazardous Air Pollutants: Pesticide Active Ingredient Production
NNN	National Emission Standards for Hazardous Air Pollutants for Source Categories; Wool Fiberglass Manufacturing
OOO	National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins
PPP	National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production
QQQ	National Emission Standards for Hazardous Air Pollutants from Primary Copper Smelting
RRR	National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production
TTT	National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting
UUU	National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
VVV	National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works
XXX	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese
AAAA	National Emission Standards for Hazardous Air Pollutants from Municipal Solid Waste Landfills
CCCC	National Emission Standards for Hazardous Air Pollutants from Manufacturing of Nutritional Yeast
EEEE	National Emission Standards for Hazardous Air Pollutants from Organic Liquids Distribution (Non-Gasoline)
FFFF	National Emission Standards for Hazardous Air Pollutants from Miscellaneous Organic Chemical Manufacturing
GGGG	National Emission Standards for Hazardous Air Pollutants from Solvent Extraction for Vegetable Oil Production
HHHH	National Emission Standards for Hazardous Air Pollutants from Wet- Formed Fiberglass Mat Production
JJJJ	National Emission Standards for Hazardous Air Pollutants from Paper and Other Web Coating
KKKK	National Emission Standards for Hazardous Air Pollutants from Surface Coating of Metal Cans
MMMM	National Emission Standards for Hazardous Air Pollutants from Surface Coating of Miscellaneous Metal Parts and Products
NNNN	National Emission Standards for Hazardous Air Pollutants from Surface Coating of Large Appliances
OOOO	National Emission Standards for Hazardous Air Pollutants from Printing, Coating, and Dyeing of Fabrics and Other Textiles
PPPP	National Emission Standards for Hazardous Air Pollutants from Surface Coating of Plastic Parts and Products
QQQQ	National Emission Standards for Hazardous Air Pollutants from Surface Coating of Wood Building Products
RRRR	National Emission Standards for Hazardous Air Pollutants from Surface Coating of Metal Furniture

Subpart	Description
SSSS	National Emission Standards for Hazardous Air Pollutants from Surface Coating of Metal Coil
TTTT	National Emission Standards for Hazardous Air Pollutants from Leather Finishing Operations
UUUU	National Emission Standards for Hazardous Air Pollutants from Cellulose Product Manufacturing
VVVV	National Emission Standards for Hazardous Air Pollutants from Boat Manufacturing
WWWW	National Emission Standards for Hazardous Air Pollutants from Reinforced Plastic Composites Production
XXXX	National Emission Standards for Hazardous Air Pollutants from f Rubber Tire Manufacturing
YYYY	National Emission Standards for Hazardous Air Pollutants from Stationary Combustion Turbines
AAAAA	National Emission Standards for Hazardous Air Pollutants from Lime Manufacturing Plants
BBBBB	National Emission Standards for Hazardous Air Pollutants from Semiconductor Manufacturing
CCCCC	National Emission Standards for Hazardous Air Pollutants from Coke Ovens: Pushing, Quenching, and Battery Stacks
EEEEE	National Emission Standards for Hazardous Air Pollutants from Iron and Steel Foundries
FFFFF	National Emission Standards for Hazardous Air Pollutants from Integrated Iron and Steel Manufacturing
GGGGG	National Emission Standards for Hazardous Air Pollutants from Site Remediation
HHHHH	National Emission Standards for Hazardous Air Pollutants from Miscellaneous Coating Manufacturing
IIIII	National Emission Standards for Hazardous Air Pollutants from Mercury Emissions from Mercury Cell Chlor-Alkali Plants
JJJJJ	National Emission Standards for Hazardous Air Pollutants from Brick and Structural Clay Products Manufacturing
KKKKK	National Emission Standards for Hazardous Air Pollutants from Clay Ceramics Manufacturing
LLLLL	National Emission Standards for Hazardous Air Pollutants from Asphalt Processing and Asphalt Roofing Manufacturing
MMMMM	National Emission Standards for Hazardous Air Pollutants from Flexible Polyurethane Foam Fabrication Operations
PPPPP	National Emission Standards for Hazardous Air Pollutants from Engine Test Cells/Standards
QQQQQ	National Emission Standards for Hazardous Air Pollutants from Friction Materials Manufacturing Facilities
RRRRR	National Emission Standards for Hazardous Air Pollutants from Taconite Iron Ore Processing
SSSSS	National Emission Standards for Hazardous Air Pollutants from Refractory Products Manufacturing
TTTTT	National Emission Standards for Hazardous Air Pollutants from Primary Magnesium Refining