Appendix B: District Rules & Regulations (Construction)

District "Rules & Regulations" are required for all projects. While not specifically listed as "mitigation" in an environmental document, District Rules & Regulations may be required as conditions of approval during the entitlement process.

To be included as standard notes, or as an attached form, with all Improvement Plans, Grading Plans, and/or Design Review Permits, including those projects exempt by CEQA.

NOTE: It is up to each lead agency whether or not District rules or other local, state, and federal rules are considered within the baseline of a project, or used as mitigation for an identified impact.

The following is an "all inclusive" list and may not be applicable to every project.

- 1. Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emissions limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by the District to cease operations and the equipment must be repaired within 72 hours. (Based on APCD Rule 202)
- 2. The contractor shall suspend all grading operations when fugitive dust exceeds District Rule 228 Fugitive Dust limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond the property boundary at any time. Lime or other drying agents utilized to dry out wet grading areas shall not exceed District Rule 228 Fugitive Dust limitations. Operators of vehicles and equipment found to exceed opacity limits will be notified by the District and the equipment must be repaired within 72 hours. (Based on APCD Rule 228)
- 3. The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" the streets (or use another method to control dust as approved by the individual jurisdiction) if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. (Based on APCD Rule 228 / section 401.5)
- 4. During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. (Based on APCD Rule 228 / section 401.2)
- 5. A) In order to minimize wind driven dust during construction, the prime contractor shall apply methods such as surface stabilization, establishment of a vegetative cover, paving, (or use another method to control dust as approved by the individual jurisdiction).
- 6. B) The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) are excessive and dust is impacting adjacent properties. (Based on APCD Rule 228 / section 402)
- 7. The contractor shall apply water or use other method to control dust impacts offsite. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. (Based on APCD Rule 228 / section 401.1, 401.4)

- 8. During construction, no open burning of removed vegetation shall be allowed unless permitted by the District. (Based on District Regulation 3)
- 9. A person shall not discharge into the atmosphere volatile organic compounds (VOC's) caused by the use or manufacture of Cutback or Emulsified asphalts for paving, road construction or road maintenance, unless such manufacture or use complies with the provisions Rule 217. (Based on APCD Rule 217).
- 10. Any device or process that discharges 2 lbs per day or more of air contaminants into the atmosphere, as defined by Health and Safety Code Section 39013, may require a District permit. Permits may be required for both construction and operation. Developers/contractors should contact the District prior to construction and obtain any necessary permits prior to the issuance of a Building Permit. (Based on the California Health & Safety Code section 39013) http://www.leginfo.ca.gov/cgibin/displaycode?section=hsc&group=39001-40000&file=39010-39060
- 11. Prior to the approval of grading or improvement plans, the applicant shall retain a qualified geologist or geotechnical engineer to conduct additional geologic evaluations of the project site to determine the presence or absence of naturally-occurring asbestos onsite. These evaluations shall include the project site and each offsite parcel where infrastructure construction or installation would occur. These evaluations shall be completed and submitted to the District prior to issuance of any grading and/or improvement plans. In the event that naturally-occurring asbestos is located onsite, the following measures shall be implemented prior to the approval of grading/improvement plans:
 - a. The applicant shall prepare an Asbestos Dust Mitigation Plan (pdf) pursuant to CCR Title 17 Section 93105 ("Asbestos Airborne Toxic Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations") and obtain approval by the District. The Plan shall include all measures required by the State of California and the District.
 - b. If asbestos is found in concentrations greater than 5 percent, the material shall not be used as surfacing material as stated in state regulation CCR Title 17 Section 93106 ("Asbestos Airborne Toxic Control Measure-Asbestos Containing Serpentine"). The material with naturally-occurring asbestos can be reused at the site for sub-grade material covered by other non-asbestos-containing material. (Based on District Rule 228 and Section 93105, Title 17, California Code of Regulations (CCR) by the California Air Resources Board per Health and Safety Code Section 39666).

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