# Yuma $PM_{10}$ Maintenance Plan
# Appendices

**AIR QUALITY DIVISION**
**ARIZONA DEPARTMENT OF**
**ENVIRONMENTAL QUALITY**

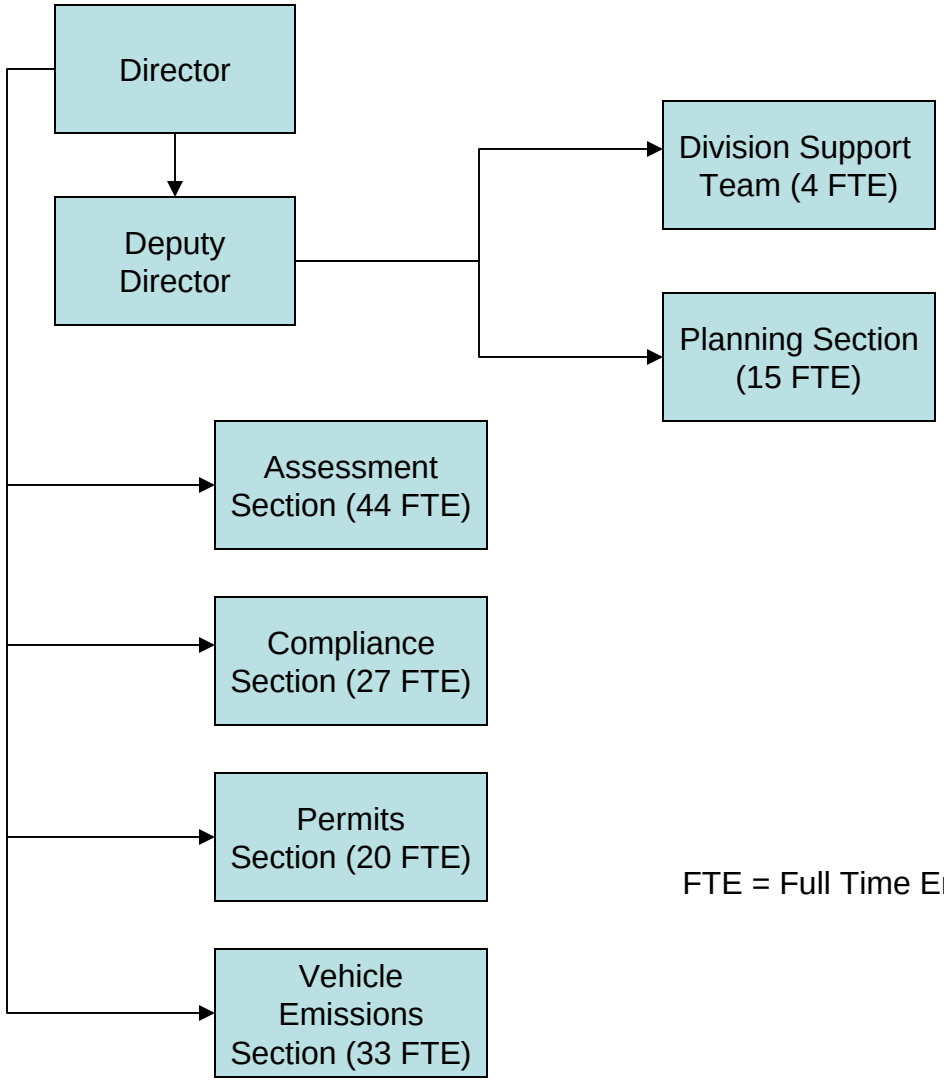
**August 2006**

# APPENDIX A

## ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

## AIR QUALITY DIVISION ORGANIZATIONAL CHART

# Arizona Dept. of Environmental Quality
# Air Quality Division




FTE = Full Time Employees

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# APPENDIX B

B.1. R18-2-702

B.2. Permitted Sources in Yuma in 2005

**TITLE 18. ENVIRONMENTAL QUALITY**

**CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY**
**AIR POLLUTION CONTROL**

**R18-2-702. General Provisions**

A. The provisions of this Article shall only apply to a source that is all of the following:
1. An existing source, as defined in R18-2-101;
2. A point source. For the purposes of this Section, "point source" means a source of air contaminants that has an identifiable plume or emissions point; and
3. A stationary source, as defined in R18-2-101.

B. Except as otherwise provided in this Chapter relating to specific types of sources, the opacity of any plume or effluent, from a source described in subsection (A), as determined by Reference Method 9 in 40 CFR 60, Appendix A, shall not be:
1. Greater than 20% in an area that is nonattainment or maintenance for any particulate matter standard, unless an alternative opacity limit is approved by the Director and the Administrator as provided in subsections (D) and (E), after February 2, 2004;
2. Greater than 40% in an area that is attainment or unclassifiable for each particulate matter standard; and
3. After April 23, 2006, greater than 20% in any area that is attainment or unclassifiable for each particulate matter standard except as provided in subsections (D) and (E).

C. If the presence of uncombined water is the only reason for an exceedance of any visible emissions requirement in this Article, the exceedance shall not constitute a violation of the applicable opacity limit.

D. A person owning or operating a source may petition the Director for an alternative applicable opacity limit. The petition shall be submitted to ADEQ by May 15, 2004.
1. The petition shall contain:
a. Documentation that the affected facility and any associated air pollution control equipment are incapable of being adjusted or operated to meet the applicable opacity standard. This includes:
i. Relevant information on the process operating conditions and the control devices operating conditions during the opacity or stack tests;
ii. A detailed statement or report demonstrating that the source investigated all practicable means of reducing opacity and utilized control technology that is reasonably available considering technical and economic feasibility; and
iii. An explanation why the source cannot meet the present opacity limit although it is in compliance with the applicable particulate mass emission rule.
b. If there is an opacity monitor, any certification and audit reports required by all applicable subparts in 40 CFR 60 and in Appendix B, Performance Specification 1.
c. A verification by a responsible official of the source of the truth, accuracy, and completeness of the petition. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
2. If the unit for which the alternative opacity standard is being applied is subject to a stack test, the petition shall also include:
a. Documentation that the source conducted concurrent EPA Reference Method stack testing and visible emissions readings or is utilizing a continuous opacity monitor. The particulate mass emission test results shall clearly demonstrate compliance with the applicable particulate mass emission limitation by being at least 10% below that limit. For multiple units that are normally operated together and whose emissions vent through a single stack, the source shall conduct simultaneous particulate testing of each unit. Each control device shall be in good operating condition and operated consistent with good practices for minimizing emissions.
b. Evidence that the source conducted the stack tests according to R18-2-312, and that they were witnessed by the Director or the Director's agent or representative.
c. Evidence that the affected facility and any associated air pollution control equipment were operated and maintained to the maximum extent practicable to minimize the opacity of emissions during the stack tests.

3. If the source for which the alternative opacity standard is being applied is located in a nonattainment area, the petitioner shall include all the information listed in subsections (D)(1) and (D)(2), and in addition:
   a. In subsection (D)(1)(a)(ii), the detailed statement or report shall demonstrate that the alternative opacity limit fulfills the Clean Air Act requirement for reasonably available control technology; and
   b. In subsection (D)(2)(b), the stack tests shall be conducted with an opportunity for the Administrator or the Administrator's agent or representative to be present.

E. If the Director receives a petition under subsection (D) the Director shall approve or deny the petition as provided below by October 15, 2004:
   1. If the petition is approved under subsection (D)(1) or (D)(2), the Director shall include an alternative opacity limit in a proposed significant permit revision for the source under R18-2-320 and R18-2-330. The proposed alternative opacity limit shall be set at a value that has been demonstrated during, and not extrapolated from, testing, except that an alternative opacity limit under this Section shall not be greater than 40%. For multiple units that are normally operated together and whose emissions vent through a single stack, any new alternative opacity limit shall reflect the opacity level at the common stack exit, and not individual in-duct opacity levels.
   2. If the petition is approved under subsection (D)(3), the Director shall include an alternative opacity limit in a proposed revision to the applicable implementation plan, and submit the proposed revision to EPA for review and approval. The proposed alternative opacity limit shall be set at a value that has been demonstrated during, and not extrapolated from, testing, except that the alternative opacity limit shall not be greater than 40%.
   3. If the petition is denied, the source shall either comply with the 20% opacity limit or apply for a significant permit revision to incorporate a compliance schedule under R18-2-309(5)(c)(iii) by April 23, 2006.
   4. A source does not have to petition for an alternative opacity limit under subsection (D) to enter into a revised compliance schedule under R18-2-309(5)(c).

F. The Director, Administrator, source owner or operator, inspector or other interested party shall determine the process weight rate, as used in this Article, as follows:
   1. For continuous or long run, steady-state process sources, the process weight rate is the total process weight for the entire period of continuous operation, or for a typical portion of that period, divided by the number of hours of the period, or portion of hours of that period.
   2. For cyclical or batch process sources, the process weight rate is the total process weight for a period which covers a complete operation or an integral number of cycles, divided by the hours of actual process operation during the period.

**Historical Note**

Former Section R18-2-702 repealed effective September 26, 1990 (Supp. 90-3). New Section R18-2-702 renumbered from R18-2-502 and amended effective November 15, 1993 (Supp. 93-4). Amended by exempt rulemaking at 9 A.A.R. 5550, effective February 3, 2004 (Supp. 03-4).

## APPENDIX B.2
# Permitted Sources Identified in Yuma County in 2005

| PERMITTED POINT SOURCES | | | | | |
|---|---|---|---|---|---|
| **Source** | **Type of Operation** | **Location of Operation** | **2004 Actual $PM_{10}$ Emissions Tons/Year** | ***In non-attainment Area?*** | ***Subject to R18-2-702 20% opacity*** |
| Alsco American Linen | Yuma Plant- boilers | 350 S. Gila Street, Yuma | 0.26 | Yes | No* |
| Arizona Public Service Co. | Power plant, natural gas/fuel oil fired. 250,000 kW capacity | 7522 S. Somerton Ave., Yuma | 18.9 | Yes | Yes |
| Chaparral Veterinary Clinic | Crematory – animal | 1963 Arizona Ave., Yuma | >1 ton | Yes | No* |
| City of Yuma Figueroa Wastewater Treatment Plant | Wastewater treatment plant 4 boilers, 2 gas flares, 2 standby generators. | 289 N. Figueroa St., Yuma | 0.0102 | Yes | Yes |
| City of Yuma Main Street Water Treatment Plant | Emergency Generator 1006 horsepower, natural gas fired. | 175 N. Main, Yuma | 0.0102 | Yes | No* |
| Coca-Cola Enterprises Inc. | Remediation equipment | 439 Gila Street, Yuma | Not operating | Yes | Yes |
| Desert Lawn Memorial Park | Crematory, 150 pounds per hour | 1550 S. Arizona Ave., Yuma | >1 ton | Yes | No* |
| Family Dry Cleaners | Dry Cleaner | 305 W. Catalina Dr., Yuma | >1 ton | Yes | No* |
| Fertizona Fertilizer Company | Agricultural chemicals and fertilizers plant | 4290 E. County 10½ St., Yuma | 0.76 | Yes | Yes |
| Gila Mountain Development *Facility called Sunset Vista Cemetery* | Crematory, 100 pounds per hour | 11357 E. 40th St., Yuma | 2.6254 | Yes | No* |
| Gowan Company | Agricultural chemicals and fertilizers mixing and repackaging plant | 12300 E. County 8th St., Yuma | >1 ton | No | Yes |
| Growers Mohawk Gin Inc. | Cotton Gin Permit 94007-89 | 39485 E. County 4th St, Yuma | 4.9869 | No | Yes |
| McElhaney Cattle Co. | Boilers/Concrete Batch Plant | 7474 S Highway 95, Wellton | 0.4765 | No | Yes |
| Melody Cleaners | Dry cleaning plant, 40 hp boiler | 877 Orange Ave., Yuma | 0.0073 | Yes | No* |

| PERMITTED POINT SOURCES | | | | | |
|---|---|---|---|---|---|
| **Source** | **Type of Operation** | **Location of Operation** | **2004 Actual $PM_{10}$ Emissions Tons/Year** | ***In non-attainment Area?*** | ***Subject to R18-2-702 20% opacity*** |
| Tri-State Hospital Supply | Surgical supply and appliance manufacturing | 3101 E Marine Industrial Park, Yuma | 0.009 | Yes | No* |
| Union Chemicar America | Boilers | 7211 E 30th St Ste B, Yuma | 0.0082 | Yes | No* |
| US Army Proving Ground | SVE Units | US Army Proving Ground, Yuma | <1 ton | Yes | Yes |
| US Army Proving Ground | 1609 hp Caterpillar Generators-permit 1000097 | US Army Proving Ground, Yuma | 0.0017 | Yes | No* |
| US Marine Corps | Generators/Sand blasting/Fuel Cells/Paint booths/gas station/others-permit #s 1001517, 1001518, 1001519, 1001520, 1001521, 1001522 | US Marine Corps, Yuma | 2.09 | Yes | Yes |
| Valley Seed Co | Agriculture services | Hwy. 95 & Ave 3E | 0.598 | Yes | Yes |
| Anderson Clayton Corp<br>*Facility called Western Cotton Services* | Cotton Gin | 45884 E County 2nd St, Roll | 11.3956 | No | No* |
| Weyerhaeuser Paper Company | Paper products, natural gas fired boilers | 2641 E. 24th St., Yuma | 1.472 | Yes | Yes |
| Yuco Gin Inc. | Cotton gin-permit # 94048-93 | 7474 N. Hwy 95, Blaisdell | 18.5675 | No | No* |
| Yuma Cogeneration Associates | Power plant, natural gas fired, 55 MW | 280 N. 27th Dr., Yuma | 9.95 | Yes | No* |
| Yuma Mortuary & Crematory (alias – Ryzek Yuma Mortuary) | Crematory, 100 pounds per hour | 551 W. 16th St., Yuma | <1 ton | Yes | No* |
| Yuma Regional Medical Center | Incinerators and boilers | 2400 Avenue A, Yuma | 0.3949 | Yes | Yes |
| Copper Mountain Landfill Inc. | Landfill—permit 1000734 | 34853 East County 12th St., Yuma | 4.69 | Yes | Yes |

Effective February 3, 2004, all stationary sources in Arizona are subject to the General Provisions 20% opacity limit unless a source-specific opacity limit applies to that source. A source-specific opacity limit may be more stringent, such as the 15% opacity limit applicable to boilers, or less stringent, such as the 40% opacity limit applicable to generators.

| PERMITTED PORTABLE SOURCES | | | | | |
|---|---|---|---|---|---|
| **Source** | **Type of Operation** | **Location of Operation** | **2004 $PM_{10}$ Actual Emissions Tons/Year** | *In non-attainment Area?* | *Subject to R18-2-702 20% opacity* |
| ATC Associates Inc | SVEU | West on I-8, Exit 3, South on ave 3E 1-1/4 miles, west on I-8 BL / 32nd St, 2090 E 32nd St, Circle K Store # 01847. T9S R23W S3 | <1 ton | | Yes |
| BTZ Inc., dba Zeller's | Crushing and screening - permit 1001432 | 240 Wellington Ave., Yuma | 1.5860 | y | Yes |
| BTZ Inc., dba Zeller's | Crushing and screening - permit 1001433 | 240 Wellington Ave., Yuma | 0.6644 | y | Yes |
| BTZ Inc., dba Zeller's | Hot mix asphalt – permit 1000918 | 240 Wellington Ave., Yuma | 1.2397 | y | Yes |
| Don Kelland Materials, Inc. | Hot mix asphalt plant-permit 1000797 | 12522 E. County 8th Street, Yuma | Permit terminated | ? | Yes |
| Don Kelland Materials, Inc. | Hot mix asphalt plant-permit 1001062 | 4E and County 19th Street Yuma | 2.4931 | ? | Yes |
| Fisher Sand and Gravel | Crushing and screening plant-permit 27820 | In Yuma - exit 3 off I-8, south on Ave 3E past county 19th street | 1.1387 | | Yes |
| Fisher Sand and Gravel | Crushing and screening plant-permit 1001476 | From Yuma, north on us-95 to milepost 37.5, east (right) 1 mile to pit | 0.7437 | | Yes |
| FNF Construction | Crushing and screening plant-permit 1001375 | From Yuma, north on us-95 past milepost 37, east on Butterfield Stage rd approx 800 ft, north on first road (T8s r21w) | 4.1353 | | Yes |
| H & S Developers, Inc. | Sand & Gravel | 12486 S. Foothill Blvd., Yuma | 0.9283 | ? | Yes |

| PERMITTED PORTABLE SOURCES | | | | | |
|---|---|---|---|---|---|
| **Source** | **Type of Operation** | **Location of Operation** | **2004 $PM_{10}$ Actual Emissions Tons/Year** | *In non-attainment Area?* | *Subject to R18-2-702 20% opacity* |
| J & F Sand, Gravel & Construction | Crushing and screening plant-permit 1001507 | 13700 N. Frontage, Yuma | 0.3150 | ? | Yes |
| Meadow Valley Contractors, Inc | Crushing and screening-permit 1001495 | I-8 exit 12, north on Fortuna rd 2.0 miles, north (right or initially east) on US-95 4.1 miles to milepost 37.7, east on Butterfield stage rd 0.2 miles, north side of road (T8s r21w) | Permit terminated | | Yes |
| Meadow Valley Contractors, Inc | Hot Mix Asphalt Plant-permit 1001544 | 1.4 miles south of the intersection of Avenue 3E and county road 19 | Permit terminated | | Yes |
| Meadow Valley Contractors, Inc. | PEP screen plant - permit # 1001598 | I-8 exit 3, south on S avenue 3 e 9.4 miles, east on E county 19th st 0.9 miles, south side of road (T10s r23w) | Non-operational | | Yes |
| Tanner Companies | Sand, gravel-permit 1001458 | MP 37, SR 95, North of Yuma | 3.0076 | | Yes |
| Tanner Companies | Asphalt plant-permit 4074-95 | Tanner Way & U.S. Highway 95 | 3.3355 | | Yes |
| Tanner Companies | Concrete batch plant-permit 1001126 | 2088 E. 20th St. Yuma | 0.3403 | y | Yes |
| Unocal Corporation | SVEU-permit 26487 | 505 South Gila Street | <1 ton | y | Yes |
| Unocal Corporation | SVEU-permit 1001784 | 505 South Gila Street | <1 ton | y | Yes |
| Valley Sand & Gravel Co. | Concrete batch plant | 1717 E. 16th St., Yuma | 0.4549 | y | Yes |
| W & L, Inc. | Crushing and Screening Plant | 4720 E. 16th St., Yuma | 0.7418 | y | Yes |

| PERMITTED PORTABLE SOURCES | | | | | |
|---|---|---|---|---|---|
| **Source** | **Type of Operation** | **Location of Operation** | **2004 $PM_{10}$ Actual Emissions Tons/Year** | *In non-attainment Area?* | *Subject to R18-2-702 20% opacity* |
| Yuma County Dept. of Public Works | Crushing and screening plant | 1 mile east of intersection of Laguna Dam Rd. and County 5th Street, Yuma | 0.5504 | | Yes |
| Southwest Original rock Products L.L.C. | Crushing and screening plant – permit 31296 | | 0.1739 | | Yes |
| CS McCrossan Construction Inc. | Crushing and screening plant – permit 33118 | | 0.9361 | | Yes |
| BLT Companies L.L.C. | Concrete Batch Plant – permit 31586 | 3515 Gila Ridge Road, Yuma | 0.0793 | | Yes |
| BLT Companies L.L.C. | Crushing and Screening Plant – permit | Highway 95 and Old Butterfield Stage Road | 1.1421 | | Yes |
| United Metro Materials | Concrete Batch Plant – permit 27242 | 275 County 21 ½ Street, San Luis, AZ 85349 | 0.0228 | No | Yes |
| | | | | | |

NOTE: Portable sources may be moved into or out of the nonattainment area upon meeting notification requirements.

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# APPENDIX C

## Yuma Agricultural Best Management Practices Rules
## R18-2-609, R18-2-612 through 614

## ARTICLE 6. EMISSIONS FROM EXISTING AND NEW NONPOINT SOURCES

### R18-2-609. Agricultural Practices

A person shall not cause, suffer, allow, or permit the performance of agricultural practices outside the Phoenix and Yuma planning areas, as defined in 40 CFR 81.303, which is incorporated by reference in R18-2-210, including tilling of land and application of fertilizers without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne.

**Historical Note**

Section R18-2-609 renumbered from R18-2-409 effective November 15, 1993 (Supp. 93-4). Amended by final rulemaking at 6 A.A.R. 2009, effective May 12, 2000 (Supp. 00-2). Amended by final rulemaking at 11 A.A.R. 2210, effective July 18, 2005 (Supp. 05-2).

### R18-2-612. Definitions for R18-2-613

1. "Access restriction" means restricting or eliminating public access to noncropland with signs or physical obstruction.
2. "Aggregate cover" means gravel, concrete, recycled road base, caliche, or other similar material applied to noncropland.
3. "Artificial wind barrier" means a physical barrier to the wind.
4. "Bed row spacing" means increasing or decreasing the size of a planting bed area to reduce the number of passes and soil disturbance by increasing plant density.
5. "Best management practice" means a technique verified by scientific research, that on a case-by-case basis is practical, economically feasible, and effective in reducing PM10 emissions from a regulated agricultural activity.
6. "Chemical irrigation" means applying a fertilizer, pesticide, or other agricultural chemical to cropland through an irrigation system.
7. "Combining tractor operations" means performing two or more tillage, cultivation, planting, or harvesting operations with a single tractor or harvester pass.
8. "Commercial farm" means 10 or more contiguous acres of land used for agricultural purposes within the boundary of the Yuma PM10 nonattainment area.
9. "Commercial farmer" means an individual, entity, or joint operation in general control of a commercial farm.
10. "Conservation irrigation" means the use of drips, sprinklers, or underground lines to conserve water, and to reduce the weed population, the need for tillage, and soil compaction.
11. "Conservation tillage" means types of tillage that reduce the number of passes and the amount of soil disturbance.
12. "Cover crop" means plants or a green manure crop grown for seasonal soil protection or soil improvement.
13. "Critical area planting" means using trees, shrubs, vines, grasses, or other vegetative cover on noncropland.
14. "Cropland" means land on a commercial farm that:
    a. Is within the time-frame of final harvest to plant emergence;

b. Has been tilled in a prior year and is suitable for crop production, but is currently fallow; or
c. Is a turn-row.

15. “Cross-wind ridges” means soil ridges formed by a tillage operation.
16. “Cross-wind strip-cropping” means planting strips of alternating crops within the same field.
17. “Cross-wind vegetative strips” means herbaceous cover established in one or more strips within the same field.
18. “Equipment modification” means modifying agricultural equipment to prevent or reduce particulate matter generation from cropland.
19. “Limited activity during a high-wind event” means performing no tillage or soil preparation activity when the measured wind speed at six feet in height is more than 25 mph at the commercial farm site.
20. “Manure application” means applying animal waste or biosolids to a soil surface.
21. “Mulching” means applying plant residue or other material that is not produced onsite to a soil surface.
22. “Multi-year crop” means a crop, pasture, or orchard that is grown, or will be grown, on a continuous basis for more than one year.
23. “Night farming” means performing regulated agricultural activities at night when moisture levels are higher and winds are lighter.
24. “Noncropland” means any commercial farmland that:
    a. Is no longer used for agricultural production;
    b. Is no longer suitable for production of crops;
    c. Is subject to a restrictive easement or contract that prohibits use for the production of crops; or
    d. Includes a private farm road, ditch, ditch bank, equipment yard, storage yard, or well head.
25. “Permanent cover” means a perennial vegetative cover on cropland.
26. “Planting based on soil moisture” means applying water to soil before performing planting operations.
27. “Precision farming” means use of satellite navigation to calculate position in the field, to reduce overlap during field operations, and allow operations to occur during nighttime and inclement weather, thus generating less PM10.
28. “Reduce vehicle speed” means operating farm vehicles or farm equipment on unpaved farm roads at speeds not to exceed 20 mph.
29. “Reduced harvest activity” means reducing the number of harvest passes using a mechanized method to cut and remove crops from a field.



30. “Regulated agricultural activity” means a commercial farming practice that may produce PM10 within the Yuma PM10 nonattainment area.
31. “Residue management” means managing the amount and distribution of crop and other plant residues on a soil surface.

32. “Sequential cropping” means growing crops in a sequence that minimizes the amount of time bare soil is exposed on a field.
33. “Surface roughening” means manipulating a soil surface to produce or maintain clods.
34. “Synthetic particulate suppressant” means a manufactured product such as lignosulfate, calcium chloride, magnesium chloride, and polyacrylamide, an emulsion of a petroleum product, and an enzyme product that is used to control particulate matter.
35. “Tillage and harvest” means any mechanical practice that physically disturbs cropland or crops on a commercial farm.
36. “Tillage based on soil moisture” means applying water to soil before or during tillage, or delaying tillage to coincide with precipitation.
37. “Timing of a tillage operation” means performing tillage operations at a time that will minimize the soil’s susceptibility to generate PM10.
38. “Transgenic crops” means the use of genetically modified crops such as “herbicide ready” crops, which reduces the need for tillage or cultivation operations, and reduces soil disturbance.
39. “Track-out control system” means a device to remove mud or soil from a vehicle before the vehicle enters a paved public road.
40. “Tree, shrub, or windbreak planting” means providing a woody vegetative barrier to the wind.
41. “Watering” means applying water to noncropland.
42. “Yuma PM10 nonattainment area” means the Yuma PM10 planning area as defined in 40 CFR 81.303, which is incorporated by reference in R18-2-210.

**Historical Note**
New Section R18-2-612 renumbered from R18-2-610 at 6 A.A.R. 2009, effective May 12, 2000 (Supp. 00-2). Former Section R18-2-612 renumbered to R18-2-614; new Section R18-2-612 made by final rulemaking at 11 A.A.R. 2210, effective July 18, 2005 (Supp. 05-2).

**R18-2-613. Yuma PM10 Nonattainment Area; Agricultural Best Management Practices**

**A.** A commercial farmer shall comply with this Section by August 1, 2005.

**B.** A commercial farmer who begins a regulated agricultural activity after August 1, 2005, shall comply with this Section within 60 days after beginning the regulated agricultural activity.

**C.** A commercial farmer shall implement at least one of the best management practices from each of the following categories at each commercial farm:
1. Tillage and harvest, subsection (E);
2. Noncropland, subsection (F); and
3. Cropland, subsection (G).

**D.** A commercial farmer shall ensure that the implementation of each selected best management practice does not violate any other local, state, or federal law.

**E.** A commercial farmer shall implement at least one of the following best management practices to reduce PM10 emissions from tillage and harvest:

1. Bed row spacing,
2. Chemical irrigation,
3. Combining tractor operations,
4. Conservation irrigation,
5. Conservation tillage,
6. Equipment modification,
7. Limited activity during a high-wind event,
8. Multi-year crop,
9. Night farming,
10. Planting based on soil moisture,
11. Precision farming,
12. Reduced harvest activity,
13. Tillage based on soil moisture,
14. Timing of a tillage operation, or
15. Transgenic crops.

**F.** A commercial farmer shall implement at least one of the following best management practices to reduce PM10 emissions from noncropland:

1. Access restriction;
2. Aggregate cover;
3. Artificial wind barrier;
4. Critical area planting;
5. Manure application;
6. Reduce vehicle speed;
7. Synthetic particulate suppressant;
8. Track-out control system;
9. Tree, shrub, or windbreak planting; or
10. Watering.

**G.** A commercial farmer shall implement at least one of the following best management practices to reduce PM10 emissions from cropland:

1. Artificial wind barrier;
2. Cover crop;
3. Cross-wind ridges;
4. Cross-wind strip-cropping;
5. Cross-wind vegetative strips;
6. Manure application;
7. Mulching;
8. Multi-year crop;
9. Permanent cover;
10. Planting based on soil moisture;
11. Precision farming;
12. Residue management;
13. Sequential cropping;
14. Surface roughening; or
15. Tree, shrub, or windbreak planting.

**H.** A person may develop different practices not contained in subsections (E), (F), or (G) that reduce PM10. A person may submit practices that are proven effective through

on-farm demonstration trials to the Director. The Director shall review the submitted practices.

**I.** A commercial farmer shall maintain records demonstrating compliance with this Section. The commercial farmer shall provide the records to the Director within two business days of written notice to the commercial farmer. The records shall contain:

1. The name of the commercial farmer,
2. The mailing address or physical location of the commercial farm, and
3. The best management practices selected for tillage and harvest, noncropland, and cropland by the commercial farmer, and the date each best management practice was implemented.

**Historical Note**

New Section made by final rulemaking at 11 A.A.R. 2210, effective July 18, 2005 (Supp. 05-2). Supp. 05-2 Page 70 June 30, 2005 **Title 18, Ch. 2** ***Arizona Administrative Code*** Department of Environmental Quality – Air Pollution Control **R18-2-614. Evaluation of Nonpoint Source Emissions** Opacity of an emission from any nonpoint source shall not be greater than 40% measured according to the Arizona Testing Manual, Reference Method 9. An open fire permitted under R18-2-602 or regulated under Article 15 is exempt from this requirement.

**Historical Note**

Section R18-2-614 renumbered from R18-2-612; amended by final rulemaking at 11 A.A.R. 2210, effective July 18, 2005 (Supp. 05-2).

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# APPENDIX D

## Yuma Public Information Pamphlets:

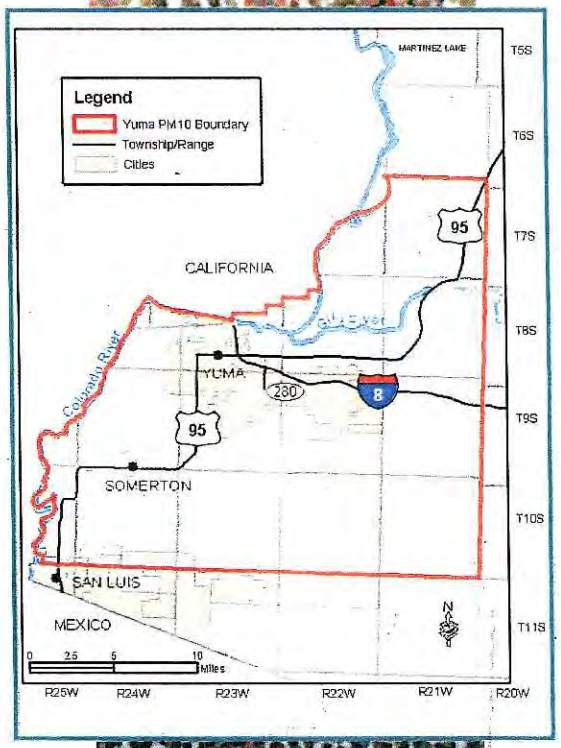
*How Can I Protect My Family in Yuma from Dust Pollution*
*Como Puedo Proteger a Mi Familia de la Polucion de Polvo en Yuma*
*Dust Particles, The Environment & Your Health*

# Appendix D.1

## Yuma Public Information Pamphlet
## (English version)

*How Can I Protect My Family in Yuma from Dust Pollution*

# Yuma $PM_{10}$ Nonattainment Area




## How Can I Make a Dust Complaint?

Dust complaints should initially be made to the cities of Yuma or Somerton, Yuma County, or the Irrigation District; they will make referrals to law enforcement when appropriate.

City of Yuma 327-4500

Yuma County 217-DUST

City of Somerton 627-9876 or 627-5380

North Gila Irrigation District 343-9447

Unit B Irrigation District 627-8891

Yuma County Water Users' Association 627-8824

Yuma Irrigation District 726-1047

Yuma Mesa Irrigation and Drainage District 726-4353

Wellton-Mohawk Irrigation and Drainage District 785-3351

ADEQ: Agricultural Dust Complaints
(602) 771-2324 or
toll free at (800) 234-5677 Ext: 771-2324
TDD: (602) 771-4829 (Hearing impaired)

Arizona Department of Agriculture
Compliance Assistance - (602) 542-3484 or
toll free at (800) 294-0308 Ext: 542-3484

ADEQ
Arizona Department of Environmental Quality

ADEQ Main Office
1110 W. Washington St.
Phoenix, AZ 85007
Web site: www.azdeq.gov

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*printed on recycled paper*

# How Can I Protect My Family in Yuma from Dust Pollution

ADEQ
Arizona Department of Environmental Quality

**Janet Napolitano, Governor**
**Stephen A. Owens, ADEQ Director**

## What is Particulate Matter and What is $PM_{10}$?

Particulate matter is a combination of fine solids such as ash, dirt, mold, pollen, smoke, soot, droplets, and fine particles suspended in the air, primarily from cars, trucks, offroad engines and burning of coal and natural gas. Droplets and fine particles are formed in the atmosphere from gaseous pollutants, such as volatile organic compounds, sulfur dioxide, and nitrogen oxides. These particles can come from almost any source. $PM_{10}$ is particulate matter up to 10 microns (a micron is one millionth of a meter) in size. A human hair is about 70 microns wide.

## Why Is $PM_{10}$ Bad for Me?

When $PM_{10}$ is in the air, we breathe it into our lungs where it can aggravate asthma and cause coughing, difficult or painful breathing, and contribute to chronic bronchitis, decreased lung function, and premature death. The elderly, children, and people with chronic lung diseases (including asthma, chronic bronchitis and emphysema) and heart disease are more sensitive to high levels of particulates. The Clean Air Act established national health standards for particulate matter and 5 other pollutants because of their health impacts.

## Does Yuma Meet the $PM_{10}$ Health Standards?

Yes. The Arizona Department of Environmental Quality (ADEQ) submitted a $PM_{10}$ State Implementation Plan (SIP) that demonstrated that the Yuma area met the $PM_{10}$ health standards. The SIP was submitted to EPA in November 1991, and a revised plan was submitted to EPA in July 1994. The control measures in the plan have reduced $PM_{10}$ emissions significantly from pre-1991 levels. The Yuma area violated the health standard on August 18, 2002, as a result of a violent thunderstorm, which has been treated as an uncontrollable natural event. Because of that day, ADEQ and interested stakeholders have developed a Natural Events Action Plan (NEAP) to control dust in Yuma to the extent feasible and also inform people of impending or current events where $PM_{10}$ could cause problems for people.

## Sources of Particulate Matter

Particulates come from a variety of sources in the Yuma area, such as construction sites, agricultural fields, track-out from construction sites and agricultural fields, paved roads, open burning, industrial sources, uncovered trucks, unpaved roads, and off-road vehicles.

## Things We Can Do

- Avoid using unpaved roads.
- Drive slower on unpaved roads and other dirt surfaces.
- Do not ride dirt bikes, ATVs, or other off-road vehicles in prohibited areas or on windy days.
- Post or barricade unpaved canal roads.

- Call Irrigation Districts to report unauthorized vehicles on Irrigation Districts' canal roads.
- Report dusty construction sites, trackout onto paved roads, and dusty farm activities to listed Dust Complaint numbers.
- Cover trucks hauling dust-producing material.

- Add native plants or apply water or dust suppressants to vacant or unimproved lots.
- Use leaf vacuums instead of leaf blowers at homes and businesses.
- Implement dust control plans at city and county permitted construction sites.

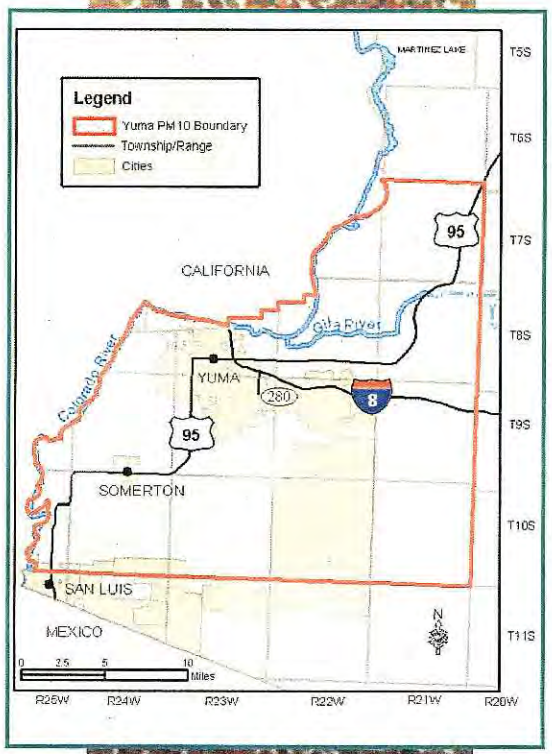
- Use Agricultural Best Management Practices in field operations.

## Appendix D.2

## Yuma Public Information Pamphlet
## (Spanish version)

*Como Puedo Proteger a Mi Familia de la Polucion de Polvo en Yuma*

# Área que no Ejerce Conformidad de los Criterios de $PM_{10}$




# ¿Como Puedo Presentar una Queja Sobre Polvo?

Quejas sobre polvo deben presentarse primeramente a las ciudades de Yuma o Somerton, al condado de Yuma, o al Distrito de Irrigación; ellos darán saber a las autoridades apropiadas, si es necesario.

Ciudad de Yuma 327-4500

Condado de Yuma 217-DUST

Ciudad de Somerton 627-9876 or 627-5380

Distrito de Irrigación de North Gila 343-9447

Distrito de Irrigación Unit B 627-8891

Asociación de Usuarios de Agua del Condado de Yuma 627-8824

Distrito de Irrigación de Yuma 726-1047

Distrito de Irrigación y de Drenaje de Yuma Mesa 726-4353

Distrito de Irrigación y de Drenaje de Wellton-Mohawk 785-3351

ADEQ: Quejas de Polvo por Actividades de Agricultura (602) 771-2324 o sin cobro al (800) 234-5677 Ext: 771-2324
TDD: (602) 771-4829 (oído dañado)

Ministerio de Agricultura del Estado de Arizona, Departamento de Asistencia para Conformidad de la Ley - (602) 542-3484 o sin cobro al(800) 294-0308 Ext: 542-3484

ADEQ
Arizona Department of Environmental Quality

Oficinas Centrales del ADEQ
1110 W. Washington St.
Phoenix, AZ 85007
Sitio de la red: www.azdeq.gov

Mayo del 2005
Publicación No. C 04-12
*Impreso en papel reciclado*

# ¿Como Puedo Proteger a Mi Familia de la Polución de Polvo en Yuma?

ADEQ
Arizona Department of Environmental Quality

**Janet Napolitano, Governor**
**Stephen A. Owens, ADEQ Director**

## ¿Que as Materia Particulada y Que Es PM10?

Materia particulada es una combinación de materiales sólidos finos como ceniza, tierra, moho, polen, humo, hollín y gotitas, y de otras partículas finas que son suspendidas en el aire. Estos materiales suceden por la mayoría como resultado de emisiones de autos, camiones y motores, y de la quemazón de carbón y gas natural. Las gotitas y partículas finas se forman en la atmósfera como resultado de contaminantes gaseosos como compuestos volátiles orgánicos, dióxido de azufre, y óxidos de nitrógeno. Estas partículas pueden ser resultado de una gran cantidad de tipos de fuentes. $PM_{10}$ es una materia particulada que mide hasta 10 micrones (un micrón mide un millón de un metro) de tamaño. Un cabello humano mide como 70 micrones de ancho.

## ¿Porque es Malo el $PM_{10}$?

Cuando el $PM_{10}$ se encuentra en el aire, lo respiramos dentro de nuestros pulmones donde puede agravar el asma y causar tos, dolor al respirar, y contribuir a bronquitis crónico, funcionamiento disminuido de los pulmones, y muerte prematura. Los ancianos, los niños, y gente con enfermedades crónicas de los pulmones (incluyendo al asma, bronquitis crónico, y enfisema) o con enfermedades del corazón son más susceptibles a niveles altos de partículas. El Acta de Aire Limpio estableció los criterios nacionales de salud relacionados a materia particulada y cinco otros contaminantes.

## ¿Satisface los Criterios Nacionales de $PM_{10}$ la Ciudad de Yuma?

Si. El Ministerio de Calidad Ambiental del Estado de Arizona (ADEQ, por sus siglas en inglés) presentó un plan a la Agencia Federal de Protección Ambiental (EPA, por sus siglas en inglés) en noviembre de 1991. El plan de implementación por parte del estado (SIP, por sus siglas en inglés) demuestra que el área de Yuma satisface los criterios nacionales relacionados al $PM_{10}$. Una versión enmendada del plan fue presentada a la EPA en julio de 1994. Las medidas de control que forman parte del plan han disminuido los niveles de emisiones de $PM_{10}$ significantemente, a comparación con los niveles que se registraban antes del 1991. El área de Yuma cometió una infracción de los criterios de salud el 18 de agosto del 2002. Una tormenta violenta, la cual se considera un evento incontrolable, contribuyó a esta infracción. Como reacción a ese día de tormenta, el ADEQ y otras partes interesadas han desarrollado un plan para eventos naturales (NEAP, por sus siglas en inglés) para controlar el polvo en Yuma a un nivel viable, y para advertir a la gente de eventos que puedan causar problemas de $PM_{10}$.

## Fuentes de Materia Particulada

En el área de Yuma, las partículas pueden originarse como resultado de fuentes como sitios de construcción o campos de agricultura, o por desparrame de polvo causado por llantas en estos sitios; caminos con o sin pavimento; sitios de quemazones o industria; camionetas de carga sin tapaderas; o otros vehículos terrenales.

## ¿Que Podemos Hacer?

- Procure usar caminos con pavimento.
- Conduzca su auto a velocidades más lentas en caminos sin pavimento o en otras superficies de tierra.

- No conduzca su moto terrenal, ATV, u otros vehículos terrenales en áreas prohibidas o durante días de viento.
- Marque o coloque barricadas para caminos sin pavimento a lo largo del canal.
- Llame a los distritos de irrigación para denunciar a los vehículos inautorizados que usen esos caminos a lo largo del canal.

- Denuncie sitios de construcción polvorosos, desparrame de materiales en los caminos, y actividades de agricultura que causen polvo a los números de teléfono proveídos para presentar quejas sobre polvo.
- Cubra los camiones que cargan materiales que producen polvo con tapaderas seguras.
- Siembre plantas nativas, riegue o suprima el polvo de sitios vacantes.

- Utilice aspiradoras de hojas en lugar de sopladores en sitios residenciales o de negocio.
- Realice planes para controlar el polvo en sitios de construcción regulados por la ciudad o por el condado.

- Utilice las mejores prácticas y administración durante operaciones de agricultura.

# Appendix D.3

# Yuma County Public Information Pamphlet

## What can I do to help?

- Drive slower on unpaved roads.
- Use a leaf vacuum instead of a leaf blower.
- Cover haul trucks that may produce dust while transporting.
- Homeowners can plant flowers or other vegetation on bare soil areas.
- Use the Yuma County Dust Control Hotline to report your dust complaints.

YUMA COUNTY ARIZONA

**PROTECTING THE ENVIRONMENT**

Yuma County
Department of Development Services
2703 South Avenue B
Yuma, Arizona 85364

Phone: 928-329-2300
Fax: 928-726-5626
http://www.co.yuma.az.us/dds/EP/EPmain.htm

*PROTECTING THE ENVIRONMENT*

# Dust Particles, The Environment & Your Health

***Yuma County***
***Department of Development Services***

## What is Particulate Matter?

Particulate matter is made up of a number of components, including dirt, soil dust, pollens, molds, ashes, soot and aerosols that remain suspended in air. Coarse particulate matter that is 10 microns in size (also known as PM10) or less can become airborne, causing both environmental and health effects. Particulate matter is caused by a variety of activities including construction and earthmoving activities, driving on unpaved roads and vacant lots, farming activities, and even the wind!

***Did you know?*** The size of a single human hair is about 75 microns!

## What are the Health Effects?

The size of the particle is directly linked to their potential to cause health related problems. Small particles that are 10 microns or less pose the greatest threat to your health because the small particles can get deep into your lungs. Exposure to PM10 may aggravate respiratory diseases such as asthma, bronchitis, and emphysema.

## Are you at risk?

People with the greatest risk to particulate matter pollution include persons with lung or heart disease, the elderly, and young children. Persons with lung or heart disease such as chronic obstructive pulmonary disease (COPD), coronary artery disease, asthma, are at greater risk from particulate matter pollution because the particles can aggravate these conditions and make breathing difficult. The elderly are potentially at risk because of decreased lung capacity and possibly undiagnosed health related issues. Children are also at risk to higher levels of particulate pollution because of their high level of activity and their lungs may be at an early stage of development.

## I'm healthy, can particle pollution really affect me?

Health studies conducted indicate that exposure can lead to a variety of negative health effects. Such as tightness in the chest, palpitations, shortness of breath, chest pain, wheezing, and a number of other problems.

## So what can I do to protect myself and my family?

First, you need to be aware of the problems associated with particulate pollution. Seek appropriate medical attention in the event you experience any adverse effects from particulate pollution. Second, limit outdoor family activities when particulate pollution is high. For additional information check the following website, http://www.co.yuma.az.us/dds/EP/EPmain.htm and

click on the following link.

ADEQ
Arizona Department of Environmental Quality

This site will provide you with the most up-to-date particulate pollution forecasts.

## How can I Make a Dust Complaint?

If you see dust coming from construction sites, trackout onto paved roads, and off-road vehicles in prohibited areas, call the Yuma County Dust Control Hotline at:

**928-217-DUST**

## PROTECTING THE ENVIRONMENT

Yuma County
Department of Development Services
Phone: 928-329-2300
Fax: 928-726-5626
http://www.co.yuma.az.us/dds/EP/EPmain.htm

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# APPENDIX E

## Yuma Outreach and Notification Resource List

**Dust Control Action Forecast**
**Dissemination List**

| Name | Title | Company | Phone | Responsibility<br>Effective date August 01, 2005 | E-Mail |
|---|---|---|---|---|---|
| Charlene Fernandez | Community Liaison | ADEQ | Office (928)373-9432<br>Mobile- (928) 580-6431 | To disseminate all health and educational material, brochures made available through ADEQ and the dust control action forecast to Yuma stakeholder list. | Fernandez.Charlene@azdeq.gov<br><br>ADEQ website: www.azdeq.gov |
| Gerardo Mayoral | Border Air Monitoring Coordinator | ADEQ | Office (928) 373-2332 | Mr. Mayoral, assists Ms. Fernandez in her absence, with the dissemination of health and educational, brochures made available through ADEQ and dust control action plan. | gem@azdeq.gov |
| Luis Miranda | Environmental Programs Manager | Yuma County | (928) 817-5000 x-5140 | Yuma, County has developed a brochure about the acute and chronic health effects of $PM_{10}$ that is available for dissemination by others. | envprograms@co.yuma.az.us<br>Yuma County website:<br>www.co.yuma.az.us/dds/EP.htm<br>Luis.Miranda@co.yuma.az.us |
| Marcia Colquitt | Field Consultant | Arizona Department of Agriculture | (602) 542-3484<br>1-800 294-0308 outside of Phoenix Metro area. | Department of Agriculture notifies the farmers of the dust control action forecasts. No back up person. | mcolquitt@azda.gov.<br>Website<br>http://www.azda.gov/ACT/AirQuality.htm |
| Beverly Chenausky | Manager Air Quality Branch | Arizona Department of Transportation | (602) 712-7487 | Ms. Chenausky assists Ms. Sommer with notification of the road construction crews of the dust control action forecast | bchenausky@azdot.gov |

| Name | Title | Company | Phone | Responsibility<br>Effective date August 01, 2005 | E-Mail |
|---|---|---|---|---|---|
| Ibrahim Osman | CIP Project Manager | City of Yuma | (928) 373-4531 | Ibrahim Osman receives the dust control action forecast for the City of Yuma and notifies the appropriate crews that work in the City of Yuma. | ibrahim.osman@ci.yuma.az.us |
| Eddie Mendez | Director of Public Works | City of Somerton | (928) 627-4115 | Eddie Mendez receives the dust control action and notifies appropriate crews that work in the City of Somerton. | eddiem@cityofsomerton.com |
| Ernie Jimenez | Lot Development | H&S Developers | (928) 581-1374 | Mr. Jimenez receives the dust control action forecast. He notifies appropriate crews in the event of a high wind forecast. | ernie@foothillsonline.com |
| Charles Botdorf | Environmental Director | Yuma Proving Ground | (928) 328-2754 | Mr.Botdorf receives the dust control action forecast. He'll disseminate information to appropriate sources of dust. | Charles.botdorff@yuma.army.mil |
| Charles Ruerup | Compliance Manager | Yuma Proving Ground | (928) 328-2977 | Mr. Ruerup receives the dust control action forecast. He is the back-up to Mr. Botdorf receiving the forecast and disseminate in the absence Mr. Botdorf. | Charles.ruerup@yuma.army.mil |

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# APPENDIX F

Yuma Dust Control Action Forecast

ADEQ
Arizona Department of Environmental Quality

Janet Napolitano, Governor
Stephen A. Owens, ADEQ Director

# YUMA AND VICINITY
# DUST CONTROL ACTION FORECAST
## ISSUED TUESDAY, JANUARY 17, 2006

Three-day weather outlook:

A series of disturbances will continue to train right through Arizona into next week. The first to affect the state will be Thursday. We can expect to see wind increase to around 15-25 mph from the northwest in the Yuma forecast area Thursday afternoon. Cooler air will fill in behind the system Friday as the high temperatures will only reach the low 60s. The winds will continue into Friday morning but then decrease as high pressure rebounds for a short time. Another dry system will push through the area Saturday. The risk of wind-blown dust in Yuma will be **HIGH** Thursday, decreasing to MODERATE Friday as none of the systems will bring rain.

| | WINDS | WIND BLOWN DUST RISK |
|---|---|---|
| Day #1: Wed 01/18/2006 | No significant wind is expected. | LOW |
| Day #2: Thu 01/19/2006 | Northwest wind 15-25 mph is expected during the afternoon hours. | HIGH |
| Day #3: Fri 01/20/2006 | North wind 15-25 mph is possible early, becoming light by the afternoon. | MODERATE |

**PM-10 & PM-2.5 (PARTICLES)**

Description – The term "particulate matter" (PM) includes both solid particles and liquid droplets found in air. Many manmade and natural sources emit PM directly or emit other pollutants that react in the atmosphere to form PM. Particles less than 10 micrometers in diameter tend to pose the greatest health concern because they can be inhaled into and accumulate in the respiratory system. Particles less than 2.5 micrometers in diameter are referred to as "fine" particles and are responsible for many visibility degradations (brown cloud). Particles with diameters between 2.5 and 10 micrometers are referred to as "coarse".

Sources – Fine = All types of combustion (motor vehicles, power plants, wood burning, etc.) and some industrial processes. Coarse = crushing or grinding operations and dust from paved or unpaved roads.

Potential health impacts – PM can increase susceptibility to respiratory infections and can aggravate existing respiratory diseases, such as asthma and chronic bronchitis.

Units of measurement – Micrograms per cubic meter (ug/m3)

Averaging interval – 24 hours (midnight to midnight).

Reduction tips – Stabilize loose soils, minimize travel on dirt roads, utilize tarps on haul trucks, limit use of leaf-blowers, and on high-wind days reduce outdoor activities.

CKR 05/09/2005

EXAMPLE

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# APPENDIX G

## Implemented Reasonably Available Control Measures

## Contents of Appendix G

Table of Local Governments Annual Report

New Haul Roads and Parking Lots RACMs in Yuma $PM_{10}$ Nonattainment Area

Somerton Street Sweeper Costs

Yuma County RACM Data

Yuma Rural-Metro RACM 1991-1999 and 2002-2004 Milestone Report

Marine Corps Air Station RACM 1995-2005 Milestone Report

Yuma Proving Ground RACM 1999-2002 Milestone Report

Yuma Proving Ground RACM 1991-1999, 2002-2004 Milestone Report

Yuma Metropolitan Planning Organization RACM Milestone Report

Department of Interior, Bureau of Reclamation Letter of Implemented RACMs

# Local Government Agencies Annual RACM Reporting Form

Updated 2/11//02

| AGENCY | SIP RACM | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 |
|---|---|---|---|---|---|---|---|---|---|
| City of Yuma | Paving unpaved roads[i] | | | Paved 1.82 miles | Paved 0.872 miles | Paved 0.246 miles | Paved 0.246 miles | Paved 5.74 miles[ii] | Paved 1.73 miles[iii] |
| | | | | | Paved 2.17 miles[iv] | Paved 1.75 miles[v] | Paved 1.61 miles[vi] | | Paved 1 mile[vii] |
| | | | | | | | | | Paved 0.25 miles[viii] |
| | Closing unpaved roads | Closed 0.62 miles | | | | Closed 0.15 miles | Closed 0.15 miles | | |
| | Chemically stabilize unpaved roads | Chemical palliative - 0.11 miles | Watered streets - 390 miles | | | | | | 5,532 linear feet of 24' wide street surface |
| | Pave parking lots | | | Paved 90,000 sq. ft. of gravel parking lots | Paved 111,250 sq. ft. of gravel parking lot | | | | |
| City of Yuma | Traffic re-routing or rapid cleanup of temporary sources of dust and | | | | | | | | |

| AGENCY | SIP RACM | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 |
|---|---|---|---|---|---|---|---|---|---|
| | spills | | | | | | | | |
| | Covering haul trucks | Yuma City Ordinance 2638 | | | | | | | |
| | Dust control plans for construction projects | Ordinance requiring dust control plans | | | | | | | |
| | Soil stabilization | Require soil stabilization on lot cleanup program | | | | | | | |
| | Building code amds | Building code amendments | | Modified building code to require dust control plans for large construction projects | | | | | |
| | | | Watered street shoulders - 1,820 miles[ix] | | | | | | 5,436 linear feet of 8' wide street shoulder |
| | | Swept 183 miles of city roads[x] | | | | Increased street sweeping to 1,183 miles | | | |
| City of Yuma | | | | | | | Installed 1.61 miles of gutter and sidewalks[xi] | Installed 0.63 miles of curb and sidewalks[xii] | Installed 9.89 miles of sidewalks, curbs, gutters and raised median with decomposed granite ground cover[xiii] |
| | | | | | | | | | Installed 6.25 |

| AGENCY | SIP RACM | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | miles of sidewalks[xiv] |
| | | | | | | | | Landscaped 5.74 miles of median[xv] | |
| | | | | | | Burn permits issued for 20.5 acres (brush, weeds) | Burn permits issued for 220.0 acres (weeds, tree trimmings, plants, plant material) | Burn permits issued for 63.5 acres (citrus trees) | Burn permits issued for 171 acres (citrus trees) |
| Town of Somerton | Paving unpaved roads | Paved 0.25 miles | | | | | Paved 1.77 miles | | |
| | | Annually paved average of 0.83 miles of alley[xvi] | | Paved 0.1 miles of alley | Annually paved average of 0.83 miles of alley | | | | |
| Town of Somerton | Traffic re-routing or rapid cleanup of temporary sources of dust and spills | Developed written policy for street cleanup and re-routing | | | | | | | |
| | Covering haul trucks | Somerton Resolution 405 | | | | | | | |
| | Dust control plans for construction | Implemented on a continual basis | | | | | | | |

| AGENCY | SIP RACM | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 |
|---|---|---|---|---|---|---|---|---|---|
| | projects | | | | | | | | |
| | Soil stabilization | | | | Graveled 83,400 sq. ft. dirt parking lot[xvii] | | | | |
| | | | Watered unpaved roads - 1,350 miles | Annually watered unpaved roads - 1,560 miles | | | | Annually watered unpaved roads - 499.75 miles | |
| | | | Annually watered street shoulders -1,820 miles | | | | | | |
| | | | Annually swept 3,238 miles of paved roads | | | | | Annually swept 1,211.5 miles of paved roads | |
| | | | | | | Reconstruc-ted 13,267 sq. yds. parking area | | | |
| Town of Somerton | | | | | Recon-structed curbs and gutters - 0.2 miles[xviii] | Recon-structed curbs and gutters - 0.34 miles | | | |
| Yuma County | Paving unpaved roads | Paved 15 miles | Chip sealed 9.5 miles of gravel roads | Applied lignosite and chip seal to 5 miles | Chip sealed 5.7 miles | | Paved 15 miles | | Paved 0.75 miles of road<br><br>Chipsealed 0.75 miles of road |

| AGENCY | SIP RACM | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 |
|---|---|---|---|---|---|---|---|---|---|
| | Stabilizing unpaved roads | | Stabilized unpaved roads - 5.3 milesa | Stabilized unpaved roads - 36.75 miles with mag chloride | Stabilized unpaved roads - 43 miles with mag chloride | Annually stabilized unpaved roads - 86 miles with magnesium chloride | | Stabilized unpaved roads - 56.2 miles with magnesium chloride in May and October | |
| | Traffic re-routing or rapid cleanup of temporary sources of dust and spills | Implemented on a continual basis | | | | | | | |
| | Covering haul trucks | Yuma County Resolution No. 91-38 | | | | | | | |
| | Dust control plans for construction projects[xix] | Implemented on a continual basis | | | | | | | |
| Yuma County | | | | | Annually swept streets - 3,238 miles | | | Street sweeping - 100 miles[xx] | Street sweeping - 200 miles |
| | | | Watered alleys - 24 miles | | | | | | Constructed 4,515 linear feet of 16' wide alleyway |
| | | | | | | Applied chip seal to 21.5 miles of | | | |

| AGENCY | SIP RACM | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | unpaved road shoulders | | | |
| Irrigation Districts: Yuma County Water User's Assoc. Yuma Mesa Irrigation District Unit B Irrigation District Yuma Irrigation District North Gila Irrigation District | Reduced traffic on unpaved roads | Reduced use of heavy equipment on canal banks by introducing weedeating white amur fish[xxi] | Restocked white amur fish in 1995[xxii] | Restocked 8,420 white amur fish | Annually restocked 8,400 white amur | | | | |
| | | | | | Added signs and barricades | Maintained signs and barricades | Added 50 new "no trespassing" signs | Annually maintained 350 "no trespassing" signs and 50 barricades | |
| | | | Closed 1.2 miles of canal road | Patrolled 400 miles of unpaved canal banks | | | Closed 2.4 miles of canal roads | Patrolled and watered 400 miles of unpaved canal roads | |
| | | | Pipelined 7/8 mile of canal | Pipelined 0.5 miles of canal | Pipelined 0.64 miles of canal | | Pipelined 4 miles of canal | Pipelined 2 miles of canals | |
| ADOT | | ADOT requires contractor to adher to local dust control plans | | | | | | | |

J:\AQD\PLANNING\SIPs\pm10\Yuma\yuma maintenance plan\Localgovernmentannualreporttabl111201.wpd
2/11/02

i. Information for the City of Yuma provided by the Yuma Metropolitan Planning Organization.

ii. Paving occurred on the United States Bureau of Reclamation (USBR) East Main Canal between 22nd St. and 8th St.

iii. Paving occurred on the USBR Colorado Levee.

iv. Paving occurred on 24th Ave.

v. Paving occurred on 12th St. between Aves. B and C.

vi. Paving occurred on the USBR Main & East Canal between 8th St. and Colorado River Levee.

vii. Paving occurred along Avenue C between 16th and 24th Streets.

viii. Paved 6.25 miles of Bonanza Ave.

ix. Information for the City of Yuma provided by the Yuma Metropolitan Planning Organization.

x. Street sweeping occurred a minimum of once a week for arterials and selected collector streets and five times per year for all other paved streets.

xi. Along 24th Ave.

xii. Along 12th St. between Aves. B and C.

xiii. These improvements occurred along Ave. C between 16th and 24th Streets.

xiv. Along Bonanza Ave.

xv. Along 12th Street.

.

xvi. Information from the Town of Somerton Public Works Dept.

xvii. Information for this RACM provided by the Yuma Metropolitan Planning Organization.

xviii. Information for the Town of Somerton provided by the Yuma Metropolitan Planning Organization.

xix. The contractor shall apply a dust palliative to those areas causing dust as a result of the construction operation or traffic. Frequency shall be enough to eliminate all dust from the project. The contractor shall apply palliative when directed by the County Engineer.

xx. Staff with the Yuma County Public Works Dept. explained that the significant decrease in the number of miles of city roads swept from 1999 to 2000 was attributable to a decrease in funding and in staffing. This was also the reason for only 200 miles of city roads swept in 2001.

xxi. The introduction of white amur into the Yuma area canals result in indirect $PM_{10}$ emissions reductions by reducing the need to run heavy equipment on the canal banks to dredge the canal. The effectiveness of this measure was modeled in the "reduce traffic on unpaved roads" control measure (see Table 6.0, p. 48, 1991 Yuma $PM_{10}$ SIP).

xxii. Information for this RACM provided by the Yuma Metropolitan Planning Organization.

## Data on New Haul Roads, Parking Lots, and Staging Areas In the Yuma $PM_{10}$ Nonattainment Area

| Control Measure | Yuma | Somerton | Yuma County | Date of Implementation | Comments |
|---|---|---|---|---|---|
| Zoning requirement for all new haul roads to be paved | | | No | **** | Not required at this time, may be considered in future ordinances. |
| Zoning requirement for all new haul roads to be chemically stabilized | | | No | **** | Not required at this time, may be considered in future ordinances. |
| Zoning requirement for all new parking lots to be paved | | | Yes | October 1997 | § 906.00 part A of Planning and Zoning Ordinance specifies requirements. |
| Zoning requirement for all new parking lots to be chemically stabilized | | | Yes | October 1997 | § 906.00 part B of Planning and Zoning Ordinance specifies requirements. |
| Zoning requirement for all new staging areas to be paved | | | No | **** | Not required at this time, may be considered in future ordinances. |
| Zoning requirement for all new staging areas to be chemically stabilized | | | No | **** | Not required at this time, may be considered in future ordinances. |

- The contact for the City of Yuma is Ibrahim Osman at (928) 373-4531.
- The contact for the City of Somerton is Eddie Mendez at (928) 627-4115.
- The contact for Yuma County is Luis Miranda at (928) 329-2300.

# DATA FOR YUMA COUNTY

| Control Measure | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 |
|---|---|---|---|---|---|---|---|
| Number and length (in miles) of all new haul roads paved | FY 91/92-11.0 mi | FY 92/93-8.5 mi | FY 93/94-9.5 mi | FY 94/95-10.75 mi | FY 95/96-6.5 mi | FY 96/97-4.0 mi | FY 97/98-8.20 mi |
| Number and length (in miles) of all new haul roads chemically stabilized | MgCL2-5.26 mi | MgCL2-Approx - 40 mi | MgCL2-Approx – 40 mi | MgCL2-Approx - 40 mi | MgCL2-Approx – 40 mi | MgCL2-Approx – 40 mi | MgCL2-Approx – 40 mi |
| Number and area (sq. ft.) of all new parking lots paved | INA | INA | INA | INA | INA | INA | INA |
| Number and area (sq. ft.) of all new parking lots chemically stabilized | INA | INA | INA | INA | INA | INA | INA |
| Number and area (sq. ft.) of all new staging areas paved | INA | INA | INA | INA | INA | INA | INA |
| Number and area (sq. ft.) of all new staging areas chemically stabilized | INA | INA | INA | INA | INA | INA | INA |

INA-Information Not Available

| Control Measure | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
|---|---|---|---|---|---|---|---|
| Number and length (in miles) of all new haul roads paved | FY 97/98-8.2 mi | FY 98/99-23 mi | FY 99/00-1.0 mi | No Gravel Roads Paved | No Gravel Roads Paved | FY 03/05-1.0 mi | FY 03/05-1.0 mi |
| Number and length (in miles) of all new haul roads chemically stabilized | MgCL2-86 mi | MgCL2-15 mi | FY 01/02 MgCL2 61.6 mi | FY 02/03 MgCL2 61.6 mi | FY 02/03 MgCL2 61.6 mi | FY 03/04 MgCL2-56.7 mi | FY 04/05 MgCL2-60.1 mi |
| Number and area (sq. ft.) of all new parking lots paved | INA | INA | INA | INA | INA | INA | INA |
| Number and area (sq. ft.) of all new parking lots chemically stabilized | INA | INA | INA | INA | INA | INA | INA |
| Number and area (sq. ft.) of all new staging areas paved | INA | INA | INA | INA | INA | INA | INA |
| Number and area (sq. ft.) of all new staging areas chemically stabilized | INA | INA | INA | INA | INA | INA | INA |

INA-Information Not Available

**From:** "Eddie Mendez" <EddieM@cityofsomerton.com>
**To:** <Martin.marvin@azdeq.gov>
**Date:** 5/31/2006 11:01:08 AM
**Subject:** FW: Street Sweeper Maintenance Cost and Miles Swept

Marvin,

Here is some information for the subject project.

| Year | Miles Swept |
|---|---|
| 1998 | 2,647 |
| 1999 | 1,209 |
| 2000 | 1,376 |
| 2001 | 3,286 |
| 2002 | 2,888 |
| 2003 | 2,662 |
| 2004 | 2,548 |
| 2005 | 2,918 |
| 2006 | 755 Through April |

Also, we have full-time Street Sweeper Operator @ a salary of $36,157 annually. In addition, the approximate maintenance cost from 2003 to 2006 is $3,698 for labor and $12,709 for parts.

Should you have any questions, please call me at (928) 627-4115.

Regards,

Eddie

Janet Napolitano
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • azdeq.gov

Stephen A. Owens
Director

05 APR 32 AM 11:16
ADEQ
AIR QUALITY DIVISION

April 22, 2005

Mr. Curt Foster, Fire Marshall
Yuma Rural Metro Fire Department
660 East 18th Place
Yuma, Arizona 85365

Subject: Yuma Rural Metro Fire Department (Rural Metro) Reasonably Available Control Measures (RACMs) Implemented 1991 Through 1999 and 2002 Through 2004

Dear Mr. Foster:

Please find enclosed reporting forms for RACMs implemented by Rural Metro in the Yuma Nonattainment Area. The forms contain the RACMs that were identified in the 1991 State Implementation Plan (SIP) and the 1994 update to the SIP. We are trying to identify the RACMs that were implemented by Rural Metro from 1991 through 1999 and from 2002 through 2004 and verify that they are still in effect. We already have information on the control measures that were implemented in 2000 and 2001. We need quantitative, staffing, and funding information on these measures. We would like this information by Wednesday, April 27, 2005, if at all possible.

Thank you for your assistance and for ensuring dust control measures are being implemented by Rural Metro to help improve the region's air quality. If you have any questions, I can be reached at 1-800-234-5677 ext. 771-4417.

Sincerely,

Andra Juniel

Andra Juniel, Planner II
Planning Section

Enclosures (3)

cc: ALJ:MBL

# Rural/Metro Fire Department

## FAX COVER SHEET

TO: ANDREA

Fax #: 1-602-771-2366

Pages: 2

FROM: CURT

Fax #: 1-928-783-8961

Phone #: 1-928-782-4757 x122

Date: 5/15/06

Notes:

09:43 FAX 928 7838961 ADMIN 002

138912

Yuma Co.

# BURN PERMITS

Started 05/05/98

| Year | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|---|---|---|---|---|---|---|---|
| Permits Issued | 309 | 371 | 420 | 517 | 651 | 593 | 713 | 791 |
| Extra Permits | 30 | 46 | 39 | 26 | 30 | 36 | 17 | 15 |
| Total | 339 | 417 | 459 | 543 | 681 | 629 | 730 | 806 |

| Year | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|---|---|---|---|---|---|---|---|
| Acres | | 0 | 0 | 0 | 8502.75 | 8232.25 | 7493.5 | 6391 |
| Extra Acres | 300 | 600 | 450 | 200 | 220 | 310 | 300 | 0 |
| Total | 300 | 600 | 450 | 200 | 8722.75 | 8542.25 | 7793.5 | 6391 |

# Rural/Metro Fire Department

## FAX COVER SHEET

TO: ANDREA

Fax #: 1-602-771-2366

Pages: 2

FROM: CURT

Fax #: 1-928-783-8961

Phone #: 1-928-782-4757 x122

Date: 5/15/06

Notes:

From: "Scott McArthur" <OAQ/SM2>
To: ALJ, ddb, smv, dgc
Date: Fri, 10 Jan 1997 13:15:17
Subject: Permitted Burn Acreage for Yuma
X-mailer: Pegasus Mail v3.22
X-PMFLAGS: 128

Andra,

Here's some of the data you requested:

Permitted Burn Acreages for Yuma County -

| | |
|---|---|
| 1994 | 3447 acres |
| 1995 | 6469 acres |
| 1996 | 6464 acres |

We don't have the permits going back to '91, so I can't get the numbers from those years. Maybe Dan Catlin has this data somewhere, but he won't be back in until Monday.

Do you need the pre-'94 years data?

Scott

| AGENCY | SIP RACM | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Marine Corps Air Station Yuma | Length of bicycle path developed | 3 miles | | | | | | | | | | |
| | Number of trips reduced by encouraging carpooling | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr | 11,700 cars/yr |
| | Number of cars prevented from accessing and parking at selected locations on the air station | | | | | | | | Unimproved contractor lay-down areas have been severely limited in size and location | Unimproved contractor lay-down areas have been severely limited in size and location | 30 cars per day | 20 cars per day |
| | Number if administrative trips to San Diego and other off-station trips reduced through coordination of activities and carpooling | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr | 780 cars/yr |
| | How many miles of unpaved 14 miles of federal roads were paved | | | | | | 23.5 miles | | 8,000 sq yds | 32,800 sq yds asphalt milling | | 140,329 sq ft |
| | How many unauthorized vehicles have been prevented from using unpaved roads | | | | | | | | Restricted flight line vehicle access. | Restricted flight line vehicle access. | Restricted flight line vehicle access. | Restricted flight line vehicle access. |
| | Number of miles of secondary unpaved roads where grading and other soil disturbing actions have been minimized | | | | | | | | Speed limited to 15 mph | Speed limited to 15 mph | Speed limited to 15 mph | Speed limited to 15 mph |
| | Areas of lots identified and controlled to prevent runoff from transporting soil to paved road surfaces (approximate sq. ft.) | | | | | | | | | | | Since 2002 98 storm water retention basins have been constructed |
| | Area of wind erodible area landscaped with native plants to prevent or control windblown dust (approximate sq. ft.) | | | | | 464,689 sq ft | | | | | 39,860 sq ft | |
| | Area of ground where plants are cropped or mowed rather than removed (approximate sq. ft.) | 63 acres | 63 acres | 63 acres | 63 acres | 63 acres | 63 acres | 63 acres | 63 acres | 63 acres | 63 acres | 63 acres |
| | Area of ground where large gravel was used to stabilize unvegetated area (approximate sq. ft.) | Information in the parking area and asphalt milling RACM | | | | | | | | | | |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Length of roadway where street sweeping equipment was operated in a manner that minimizes dust, including using water during operations; Frequency at which street sweeping occurred | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping | 1,628,643 sq yds airfield sweeping |
| | Area of ground where parking area was covered at Building 603 with large gravel and asphalt (approximate sq. ft.) | Information included in the parking lot RACM | | | | | | | | | | |
| | Area of ground where dirt area surrounding air field was covered with asphalt (approximate sq. ft.) | | | | | | | | | 750,000 sq ft | 4,800 sq ft | |
| | Number of gasoline vehicles removed from use | | | | | | 30 vehicles removed | 26 vehicles removed | | | | |
| | Number of gas scooters removed from use | | | | | | | 15 scooters removed | | | | |
| | Area of disturbed soil constructed on | | 4,200 sq ft | 1,739 sq ft | | 96,202 sq ft | 25,726 sq ft | | | 2,522,500 sq ft | | 85,579 sq ft |
| | Number of cars removed from road by issuing bicycles to messengers/PMO | Removed 2600 cars/yr | Removed 2600 cars/yr | Removed 5200 cars/yr | Removed 5200 cars/yr | Removed 5200 cars/yr | Removed 5200 cars/yr | Removed 5200 cars/yr | Removed 5200 cars/yr | Removed 5200 cars/yr | Removed 2600 cars/yr | |
| | Area of parking lots that have been paved or asphalted | | | 15,000 sq ft | | 813,206 sq ft | 139,037 sq ft | 13,020 sq ft | | | 81,366 sq ft | 16,760 sq ft |
| | Area that had dust palliatives or liquid surficants applied | | | 1,540,000 sq yds | 163,000 sq ft | | 274,600 sq ft | | 41,900sq yds | 89,100 sq yds | 22,500 sq ft | |
| | Personnel trained through public outreach | | | | | | | | | | 735 people | 560 people |
| | Construction areas posted with dust complaint signage | | | | | | | | | | | 6 |

DEPARTMENT OF THE ARMY

UNITED STATES ARMY YUMA PROVING GROUND

YUMA, ARIZONA 85365

REPLY TO ATTENTION OF

January 10, 2002

02 JAN 14 PM 12:36

Environmental Sciences

Mr. Andra Juniel
Arizona Department of Environmental Quality
Air Quality Planning Section
3003 North Central Avenue
Phoenix, Arizona 85012

Dear Mr. Juniel:

This letter is in regard to Arizona Department of Environmental Quality (ADEQ) requests for data on Reasonably Achievable Control Measures (RACM) for the Yuma County $PM_{10}$ non-attainment area, State Implementation Plan (SIP) for 1999 to present.

| SIP RACM | Control Measure | Total Area |
|---|---|---|
| Stabilization of unpaved roads | Grading and Watering of roads | Approximately 53.3 million square feet of surface, from the repeated treatment of 11.7 million square feet of surface. |

This RACM maintenance has been performed repeatedly from 1997 to present and is the roads listed in your correspondence dated March 27, 1996. YPG will continue to implement current RACMs and explore new control measures.

The aircraft take-off and landing data you requested for CY 1999 is broken down as follows: Heavy Aircraft: 2192, Light Aircraft: 4986, Helicopters: 12714. These numbers do not represent closed field operations.

ADEQ
AIR QUALITY DIVISION
05 MAY -6 PM 12: 22

**DEPARTMENT OF THE ARMY**
**UNITED STATES ARMY GARRISON YUMA**
**301 C. Street**
**YUMA, ARIZONA 85365-9498**

REPLY TO
ATTENTION OF

May 5, 2005

Environmental Sciences Directorate

Mr. Andra Juniel
Arizona Department of Environmental Quality
Planning Section
1110 West Washington Street
Phoenix, AZ 85007

Dear Mr. Juniel:

The U.S. Army Yuma Proving Ground (YPG) continues to undertake efforts to reduce airborne dust emissions. In accordance with the Yuma $PM_{10}$ Nonattainment Area State Implementation Plan YPG has implemented several Reasonably Available Control Measures (RACM), the enclosed form details the RACMs implemented by YPG and summarizes YPG's efforts in reducing airborne dust emissions.

If you need any additional information from YPG, please feel free to contact Mr. Charles F. Ruerup Jr., Environmental Compliance Engineer at (928) 328-2977.

Sincerely,

Charles Botdorf
Director, Environmental Sciences

Enclosures

# U. S. Army Yuma Proving Grounds
# Reasonably Available Control Measures
# 1991- 1994

| AGENCY | SIP RACM | 1991 | 1992 | 1993 | 1994 | Funding (91-94) | Staffing Levels/ Personnel | COMENTS |
|---|---|---|---|---|---|---|---|---|
| Yuma Proving Grounds | Area (approximate sq.ft.) of ground where dust was controlled on open land. | NA | 3,295,176 $ft^2$ | 1,973,700 $ft^2$ | 759,042 $ft^2$ | $ 840,800 | Total accumulative hours are equivalent to 3 personnel per year. | Dust control measures include the use of compacted ABC, asphalt, and watering. |
| | Number of miles of unpaved roads chemically stabilized. | NA | NA | NA | NA | NA | Total accumulative hours are equivalent to 3 personnel per year. | None |

NA = Not Available

# U. S. Army Yuma Proving Grounds
# Reasonably Available Control Measures
# 1991- 1994

| AGENCY | SIP RACM | 1991 | 1992 | 1993 | 1994 | Funding (91-94) | Staffing Levels/ Personnel | COMENTS |
|---|---|---|---|---|---|---|---|---|
| Yuma Proving Grounds | Area (approximate sq.ft.) of ground where dust was controlled on open land. | NA | 3,295,176 $ft^2$ | 1,973,700 $ft^2$ | 759,042 $ft^2$ | $ 840,800 | Total accumulative hours are equivalent to 3 personnel per year. | Dust control measures include the use of compacted ABC, asphalt, and watering. |
| | Number of miles of unpaved roads chemically stabilized. | NA | NA | NA | NA | NA | Total accumulative hours are equivalent to 3 personnel per year. | None |

NA = Not Available

# U.S. Army Yuma Proving Grounds
# Reasonably Available Control Measures
# 1995- 1999

| AGENCY | SIP RACM | 1995 | 1996 | 1997 | 1998 | 1999 | Funding (95-99) | Staffing Levels/ Personnel | COMENTS |
|---|---|---|---|---|---|---|---|---|---|
| Yuma Proving Grounds | Area (approximate sq.ft.) of ground where dust was controlled on open land. | 3,690,965 $ft^2$ | 3,522,880 $ft^2$ | 11,668,800 $ft^2$ | 3,409,028 $ft^2$ Note 1 | 3,409,028 $ft^2$ Note 1 | $ 1,305,946 | Total accumulative hours are equivalent to 3 personnel per year | Dust control measures include the use of compacted ABC, asphalt, and watering. |
| | Number of miles of unpaved roads chemically stabilized. | NA | NA | 40,000 $ft^2$ | NA | NA | $ 131,000 | Total accumulative hours are equivalent to 3 personnel per year. | None |

NA = Not Available
Note 1 = No specific data on record; Median value for 1992-1997 data used.

# Fax Transmittal

## Yuma County Water Users' Association

**Mailing Address:**
Post Office Box 5775
Yuma, Arizona 85366-5775

**Shipping Address:**
3800 W. County 15th Street
Somerton, Arizona 85350

Office: (520) 627-8824
Fax: (520) 627-3065

DATE: Nov. 16, 2001 TIME: _____ PAGE 1 OF 2

TO: ANDRA JUNIEL
ADEQ

FAX NO: (602) 207-2366

P.O. #: _____

FROM: ROGER McGRANE

COMMENTS/INSTRUCTIONS/NOTES:

IF THIS FAX IS NOT RECEIVED IN ITS ENTIRETY, PLEASE CONTACT US AT 1-520-627-8824.

X Original will not follow

Original will follow via:
_____ Regular Mail
_____ Hand Delivery
_____ Other

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Irrigation Districts: Yuma County Water User's Assoc. Yuma Mesa Irrigation District Unit B Irrigation District Yuma Irrigation District North Gila Irrigation District | Reduced traffic on unpaved roads | Reduced use of heavy equipment on canal banks by introducing weedeating fish | Restocked white amur in 1995[a] | Restocked 8,420 white amur fish[a] | Added signs and barricades[a] RESTOCKED 8400 + WHITE AMUR | RESTOCKED 8400 + WHITE AMUR MAINTAINED SIGNS & BARRICADES | RESTOCKED 8400 + WHITE AMUR ADDED 50 NEW "NO TRESPASSING" SIGNS | RESTOCKED 8400 + WHITE AMUR MAINTAINED "NO TRESPASSING" SIGNS & BARRICADES | RESTOCKED 8400 + WHITE AMUR MAINTAINED 350 SIGNS 50 BARRICADES |
| | | | Closed 1.2 miles of canal road[a] | Patrolled 400 miles of unpaved canal banks[a] | | | Closed 2.4 miles of canal roads[a] | PATROLLED + WATERED 400 MILES OF UNPAVED CANAL ROADS | PATROLLED + WATERED 400 MILES OF UNPAVED CANAL ROADS |
| | | | Pipelined 7/8 mile of canal[a] | Pipelined 0.5 miles of canal[a] | Pipelined 0.64 miles of canal[a] | | Pipelined 4 miles of canal[a] | PIPELINED 2 MILES OF CANALS 4 MILES OF PAVED BIKEPATHS | |
| YMPO | | | | | | | Provide VMT estimates by road type/traffic volumes/fleet mix for unpaved roads | | |

[a]Information from the Yuma Metropolitan Planning Organization.

108393

# United States Department of the Interior

BUREAU OF RECLAMATION
Yuma Area Office
7301 Calle Agua Salada
Yuma, Arizona 85364

ADEQ
AIR QUALITY DIVISION
05 MAY 23 AM 11:37

TAKE PRIDE® IN AMERICA

IN REPLY REFER TO:
YAO-7220
ENV-1.10

MAY 19 2005

Mr. Andra Juniel
Arizona Department of
Environmental Quality
1110 West Washington St.
Phoenix, AZ 85007

Subject: Reasonably Available Control Measures Implemented

Dear Mr. Juniel:

This letter is in response to your letter of April 22, 2005, requesting information regarding the subject issue.

In 2003, Reclamation records show that a total of 419 miles of road were maintained but we have no records that would specify how many of those miles were graveled. That figure more likely represents the miles of road that were bladed, that is, leveled smooth with a road grader and watered.

In 2004, a total of 478 miles were similarly maintained. Those are the only two years for which data specific to the miles of road maintained are available. For the years 1991 to 2002, you might consider using an average of the figures for 2003 and 2004.

As for hours and staffing, approximately $54,400 was expended in labor hours for road maintenance in 2003 and $62,140 in 2004. As for the years 1991 to 2002, again, you could arrive at an approximate figure by averaging the totals for the years 2003 and 2004.

Reclamation's point of contact for this issue is Mr. Ron Curiel at 928-343-8151.

Sincerely,

Cynthia Hoeft

Cynthia Hoeft, Director
Resource Management Office

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# APPENDIX H

## Statutes, Ordinances, Resolutions and Memoranda of Understanding/Agreement

## [For Information Purposes Only]

Arizona Revised Statutes

| | |
|---|---|
| §49-501.E. | Delegation of open burning permit issuance authority |
| §28-1098 | Formerly numbered §28-1873 |

CITY of SOMERTON

| | |
|---|---|
| Ordinance No. 293<br>2005 | Dust Complaint Project Sign Regulation |
| Ordinance No. 907<br>2005 | Dust Complaint Project Sign Regulation |
| Ordinance No. 300<br>2005 | NPDES Dust Control Plan Regulation |
| Resolution No. 405<br>1991 | Adopting 1991 $PM_{10}$ SIP |
| Resolution No. 360<br>1994 | Adopting November 1993 $PM_{10}$ SIP |

CITY OF YUMA

| | |
|---|---|
| Ordinance No. 02004-72<br>2004 | Dust Complaint Project Sign Regulation |
| Ordinance No. 02004-62<br>2004 | Restricted skateboard and motorized play vehicle access to unpaved alleyways, canal bank and irrigation district property |
| Ordinance No. 098-24<br>1998 | Dust control plan requirement for all construction sites |
| Resolution No. 2800<br>1994 | Adopting November 1993 $PM_{10}$ SIP |
| Ordinance No. 2638<br>1993 | Covered truck load regulation |
| Resolution No. 2682 | Adopting 1991 $PM_{10}$ SIP |
| City Code Chapter 154-396 | City of Yuma Zoning Ordinance paving requirements for 1979 off-street parking lots |

| | |
|---|---|
| City Code Chapter 154-008<br>1974 | Enforcement authority for City of Yuma Zoning Ordinance Requirements |
| Miscellany | Updated Dust Control Codes |
| Street Sweeping Plan | City of Yuma Department of Public Works |

YUMA COUNTY

| | |
|---|---|
| Ordinance No. 05-01<br>2005 | Dust Complaint Project Sign Regulation |
| Resolution No. 98-65<br>1998 | Section 3309.11 dust control plan requirement for construction projects in Uniform Building Code |
| Resolution No. 93-58<br>1993 | Public Works Standards 104.1.3 Cleanup and Dust Control |
| Resolution No. 91-52<br>1991 | Adopting 1991 $PM_{10}$ SIP |
| Resolution No. 91-38<br>1991 | Uncovered truck load fees |
| Resolution No. 88-28<br>1988 | Public Works Standards for Construction<br>General Contractor Conditions |
| Miscellany | Updated Dust Control Ordinances |

MEMORANDA of UNDERSTANDING/AGREEMENT AND RELATED INFORMATION

ADEQ and Marine Corps Air Station MOA
1992

ADEQ & Yuma Department of Health Services/Rural Metro Fire District (ADEQ Agreement No. EV02-0115) 2002
ADEQ Burning Guidelines
Smoke Management Plan for the Yuma Planning Area
Rural/Metro Open Burning Permit Application

ADEQ and Yuma Proving Ground within Nonattainment Area Figure 9 from 2001 EIS
Yuma Proving Ground Hunting Program
Strategic Enforcement Research and Development Program (CP-1399 and CP-1400)

Agreement between the City of Yuma and the Yuma County Water Users Association – Encroachment License

B. If the hearing involves any violation of rules or regulations adopted pursuant to this article or a conditional order therefrom then, in addition to the requirements of subsection A, the person allegedly committing or having committed the violation or requesting the conditional order, shall be served personally or by registered or certified mail at least fifteen days prior to the hearing with a written notice of hearing. 1992

**49-501. Unlawful open burning; definition; exceptions; fine**

A. Notwithstanding the provisions of any other section of this article, it is unlawful for any person to ignite, cause to be ignited, permit to be ignited, or suffer, allow, or maintain any open outdoor fire except as provided in this section.

B. "Open outdoor fire", as used in this section, means any combustion of combustible material of any type outdoors, in the open where the products of combustion are not directed through a flue. "Flue", as used in this subsection, means any duct or passage for air, gases or the like, such as a stack or chimney.

C. The following fires are excepted from the provisions of this section:

1. Fires used only for cooking of food or for providing warmth for human beings or for recreational purposes or the branding of animals or the use of orchard heaters for the purpose of frost protection in farming or nursery operations.

2. Any fire set or permitted by any public officer in the performance of official duty, if such fire is set or permission given for the purpose of weed abatement, the prevention of a fire hazard, or instruction in the methods of fighting fires.

3. Fires set by or permitted by the director of the department of agriculture or county agricultural agents of the county for the purpose of disease and pest prevention.

4. Fires set by or permitted by the federal government or any of its departments, agencies or agents or the state or any of its agencies, departments or political subdivisions for the purpose of watershed rehabilitation or control through vegetative manipulation.

5. Fires permitted by any rule or regulation issued pursuant to this article, by any conditional permit issued by a hearing board established under this article or by any rule or conditional permit issued pursuant to article 2 of this chapter when the department of environmental quality pursuant to section 49-402 has assumed jurisdiction of the county in which the fire is located.

6. Fires set for the disposal of dangerous materials where there is no safe alternate method of disposal.

D. Permission for the setting of any fire given by a public officer in the performance of official duty under subsection C, paragraph 2, 3 or 4 shall be given in writing and a copy of the written permission shall be transmitted immediately to the director and the control officer of the county, district or region in which such fire is allowed. The setting of any such fire shall be conducted in a manner and at such time as approved by the control officer or the director, unless doing so would defeat the purpose of the exemption.

E. Notwithstanding section 49-107, the director may delegate authority for the issuance of open burning permits to a county, city, town or fire district. A county, city, town or fire district that has been delegated authority for the issuance of open burning permits may assign the issuance of these permits to a private fire protection service provider that performs fire protection services within that county, city, town or fire district. Any private fire protection service provider that is authorized to issue open burning permits pursuant to this subsection shall maintain a copy of all currently effective permits issued including a means of contacting the person authorized by the permit to set the fire in the event that an order to extinguish the open burning is issued. Permits issued pursuant to this subsection shall contain both of the following:

1. Conditions that limit the manner and time of setting the fire and that are consistent with this section and rules adopted pursuant to this section.

2. A provision that all burning be extinguished at the discretion of the director or the director's authorized representative during periods of inadequate atmospheric smoke dispersion, periods of excessive visibility impairment that could adversely affect public safety or periods when smoke is blown into populated areas so as to create a public nuisance.

F. The director may issue a general permit to allow persons engaged in farming or ranching on forty acres or more in an unincorporated area to burn household waste, as defined in section 49-701, that is generated on site, if no household waste collection and disposal service is available. The general permit shall include the following:

28-1098. Vehicle loads; restrictions; civil penalties

A. A person shall not drive or move a vehicle on a highway unless the vehicle is constructed or loaded in a manner to prevent any of its load from dropping, sifting, leaking or otherwise escaping from the vehicle, except that either:

1. Sand may be dropped for the purpose of securing traction.

2. Water or another substance may be sprinkled on a roadway in cleaning or maintaining the roadway.

B. A person shall not operate a vehicle on a highway with a load unless the load and any covering on the load are securely fastened in a manner to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

C. If a person is found in violation of this section and the violation:

1. Does not cause any damage or injury and is the person's:

(a) First violation in a sixty month period, the person is subject to a civil penalty of up to two hundred fifty dollars.

(b) Second or subsequent violation in a sixty month period, the person is subject to a civil penalty of up to three hundred fifty dollars.

2. Results in an accident causing serious physical injury as defined in section 13-105 to another person, the person is subject to a civil penalty of up to five hundred dollars.

3. Results in an accident causing the death of another person, the person is subject to a civil penalty of up to one thousand dollars.

129284

# City of Somerton

110 N. State Avenue
P.O. Box 638
Somerton, Arizona 85350

(928) 627-8866
Fax: (928) 627-3794
TTD: (928) 627-8866

COMMUNITY DEVELOPMENT DEPARTMENT

## FACSIMILE TRANSMITTAL SHEET

TO: Andrea Jumiel

FROM: Carmen Juarez

COMPANY:

DATE:

FAX NUMBER:

TOTAL NO. OF PAGES INCLUDING COVER:

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE:

YOUR REFERENCE NUMBER:

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NOTES/COMMENTS:

129284

OFFICE OF THE
MAYOR
CITY OF SOMERTON

# Ordinance

# No. 293

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL ADDING ARTICLE 9-6, DUST COMPLAINT SIGN REGULATION, TO THE SOMERTON MUNICIPAL CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND FOR SEVERABILITY**

**WHEREAS,** the City of Somerton is interested in cooperating with the Arizona Department of Environmental Quality relating to matters of fugitive dust; and,

**WHEREAS,** one of the measures that can be taken is to provide for a project information sign requirement on projects involving earth moving at sites over a certain size.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the City of Somerton, Arizona as follows:

**SECTION ONE:** That the Somerton City Code, Chapter Nine, HEALTH AND SANITATION, is supplemented by adding Article 9-6, DUST COMPLAINT SIGN REGULATION:

| | |
|---|---|
| Article 9-6 | DUST COMPLAINT SIGN REGULATION |
| 9-6-1 | PROJECT INFORMATION SIGN |
| 9-6-2 | ENFORCEMENT |
| 9-6-3 | EXEMPTIONS |
| 9-6-4 | DEFINITIONS |

**SECTION TWO:** That Article 9-6 and the subsections referred to thereunder are set forth in their entirety in that public record entitled "DUST COMPLAINT SIGN REGULATIONS" and are incorporated by reference in their entirety in this Ordinance as adopted by Resolution No. 907.

**SECTION THREE**: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the City of Somerton, Arizona this 2 day of August, 2005.

Miguel Villalpando, Mayor

ATTEST:

Cliff O'Neill, City Manager

APPROVED AS TO FORM:

Gerald W. Hunt, City Attorney

OFFICE OF THE
MAYOR
CITY OF SOMERTON

AUG - 2 2005

ADED

# Resolution

## No. 907

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOMERTON, ARIZONA DECLARING AS A PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND ENTITLED "DUST COMPLAINT SIGN REGULATION"

**BE IT RESOLVED**, by the Mayor and Council of the City of Somerton, Arizona as follows:

**THAT,** certain document entitled "DUST COMPLAINT SIGN REGULATION", three copies of which are on file in the office of the city clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the city clerk.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Somerton, Arizona this 19 day of July 2005.

Miguel Villalpando, Mayor

**ATTEST:**

Cliff O'Neill, City Clerk

**APPROVED AS TO FORM:**

Gerald W. Hunt, City Attorney

*CITY OF SOMERTON*

# DUST COMPLAINT SIGN REGULATION

- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -

*This document sets forth in their entirety the* DUST COMPLAINT SIGN REGULATION, *which are incorporated by reference in Resolution #907 and Ordinance No. 293.*

Article 9-6 DUST COMPLAINT SIGN REGULATION

9-6-1 PROJECT INFORMATION SIGN
9-6-2 ENFORCEMENT
9-6-3 EXEMPTIONS
9-6-4 DEFINITIONS

## Article 9-6-1: PROJECT INFORMATION SIGN

For all sites with a building or grading permits that involve disturbing one (1) acre or larger, except for routine maintenance, the owner and/or operator shall erect and maintain a project information sign in accordance with Exhibit A (Work Zone Identification Sign Details) of this ordinance that is readable by the public at the main entrance to the property. Such signs shall have a white background, have black block lettering, as specified in Exhibit A, and shall contain at least all of the following information:

(A) Project name and permit holder,
(B) Building or grading permit number,
(C) Name and phone number of person(s) responsible for conducting the project, and,
(D) Text stating: "Dust Complaints" Call the City of Somerton – Public Works Department (928) 627-9876 during regular office hours.

## Article 9-6-2: ENFORCEMENT

(A) Stop-Work Order; Revocation of Permit

In the event that any person holding a building permit or grading permit pursuant to this ordinance violates the terms of the ordinance the City may suspend or revoke the building or grading permit.

(B) Violation and Penalties

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed $1,000 or by imprisonment for not more than ten (10) days or both fine and imprisonment. Each separate day or part thereof, during which any violation of said sections shall be punishable as herein provided.

**Article 9-6-3: EXEMPTIONS**

The following are exempt from the requirements of this ordinance: normal farm agricultural practices under Arizona Revised Statutes (A.R.S.) § 49-457 and § 49-504.4, and open areas, vacant lots, unpaved parking lots, and unpaved roadways than are not located at sources that require any permit under these rules.

**Article 9-6-4: DEFINITIONS**

For the purpose of this ordinance, the following definitions shall apply:

(A) BUILDING PERMIT - An official document or certificate issued by the City of Somerton, which authorizes the performance of a specific construction work, grading or alteration of ground features to create improvements and structures.

(B) GRADING – Excavation of or fill placement of material upon a land surface to create a desired slope or elevation.

**CITY OF SOMERTON**

# FAX

To: Andrew 23664 From: Carmen

Fax: (602) 771-4[illegible] Pages:

Phone: Date:

Re: CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:**

P.O. Box 638

Somerton, AZ 85350

928-627-8866 / 928-627-3794 Fax



FROM :CITY OF SOMERTON FAX NO. :9286275380 May. 19 2006 02:53PM P1

OFFICE OF THE
MAYOR
CITY OF SOMERTON

# *Ordinance*

# *NO. 300*

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOMERTON, ARIZONA, BY ADDING ARTICLE 9-7, ARIZONA POLLUTANT DISCHARGE ELIMINATION SYSTEM/STORMWATER PHASE II PERMIT PROGRAM, TO THE SOMERTON MUNICIPAL CODE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND FOR SEVERABILITY**

WHEREAS, during construction activities, soil is highly vulnerable to erosion by wind or water; and,

WHEREAS, when this eroded soil is transported by stormwater runoff to enter water bodies, it poses a serious threat to endangered and limited water resources by reducing water quality and harming aquatic habitat, fish life, and riparian vegetation; and,

WHEREAS, On March 10, 2003 The City of Somerton became a regulated community, and began operating under an AZPDES Permit No.AZG2002-002, for stormwater discharges from small Municipal Separate Storm Sewer Systems (MS4s) to the waters of the United States; and,

WHEREAS, the Minimum Control Measure No. 4 of the City's SWMP, states that the City will adopt an Erosion and Sediment Control ordinance; and,

WHEREAS, this ordinance is anticipated to be adopted by the Council on October 25, 2005 with full implementation to start on December 1, 2005, which approves the execution of the State's program: Arizona Pollutant Discharge Elimination System (AZPDES) / Stormwater Phase II Permit Program and the establishment of the City's Stormwater Management Program (SWMP); and

WHEREAS, control of sediment from construction sites is deemed to be essential in eliminating and reducing discharges of polluted stormwater runoff from these sites to the City's storm sewer system or the waters of the United States, thereby ensuring the safety of the City's residents.

FROM :CITY OF SOMERTON FAX NO. :9286275380 May. 19 2006 02:53PM P2

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Somerton as follows:

**SECTION ONE:** That the Somerton City Code, Title Nine, HEALTH AND SANITATION be supplemented by adding Article 9-7, **POLLUTANT DISCHARGE ELIMINATION SYSTEM / STORMWATER PHASE II PERMIT PROGRAM:**

Article 9-7-1: PURPOSE AND FINDING OF FACTS
Article 9-7-2: DEFINITIONS
Article 9-7-3: PERMIT AND FEES
Article 9-7-4: REVIEW AND APPROVAL
Article 9-7-5: EROSION AND SEDIMENTATION CONTROL PLAN
Article 9-7-6: DESIGN REQUIREMENTS
Article 9-7-7: INSPECTIONS
Article 9-7-8: ENFORCEMENT

**SECTION TWO**: That Article 9-7 and the subsections referred to therein are set forth in their entirety in that public record entitled "EROSION AND SEDIMENT CONTROL REGULATIONS" and are incorporated by reference in their entirety in this Ordinance as adopted by Resolution No. 926.

**SECTION THREE**: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Passed and adopted this 18 day of October, 2005.

APPROVED:

Miguel Villalpando

Miguel Villalpando
Mayor

ATTEST:

Cliff O'Neill, City Manager

APPROVED AS TO FORM:

Gerald W. Hunt, City Attorney



FROM :CITY OF SOMERTON FAX NO. :9286275380 May. 19 2006 02:54PM P3

NOV 19 1991

RESOLUTION NO. 405

A RESOLUTION OF THE CITY OF SOMERTON ADOPTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY 1991 YUMA AREA PARTICULATE PLAN FOR PM10 STATING THE CITY'S INTENT TO IMPLEMENT CERTAIN MEASURES CONTAINED IN THAT PLAN.

WHEREAS, the Yuma-Somerton Urbanized Area regularly experiences air pollution at levels affecting the quality of life of our citizens, and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF SOMERTON as follows:

SECTION 1. That the City of Somerton adopts the 1991 Particulate Plan for PM10 attached herewith as Exhibit A.

SECTION 2. That the City of Somerton intends to implement those control measures specific to Somerton which are established in the Plan set forth herewith, subject to the availability of funding.

| | | |
|---|---|---|
| CATEGORY: | | PAVING OF ROADS |
| A. | MEASURE: | Paving of unpaved roads. |
| | RESPONSIBLE AGENCIES: | Engineering, Roads and Bridges, Planning, and Finance Departments. |
| | IMPLEMENTATION SCHEDULE: | One-quarter mile of unpaved roads will be paved by the end of the year 1993. |
| | FINANCING AND MANPOWER RESOURCES: | Funding for the activities included in this measure have been included in annual operating budgets. |
| B. | MEASURE: | Control of track out from farm land adjoining pavement. |
| | RESPONSIBLE AGENCIES: | Engineering, roads and Bridges, Planning Departments. |
| | IMPLEMENTATION SCHEDULE: | Cooperation and coordination with the Department of Transportation (DOT) to convert a 23 foot right-of-way to green-belt by December 31, |

1993.

| | | |
|---|---|---|
| | FINANCING AND MAN-POWER RESOURCES: | Funding for the activities included in this measure will be provided by DOT. |
| C. | MEASURE: | Covering haul trucks carrying dust-producing loads. |
| | RESPONSIBLE AGENCIES: | Police, Road and Bridge, and Planning Departments. |
| | IMPLEMENTATION SCHEDULE: | Police, Department will enforce the existing measure (Arizona Revised Statutes Rule 18-2-406) beginning in 1992. A reminder of this requirement will be included in the City Business Licensing Program and in all Construction Permits issued by the City. All trucks with dust-producing loads, operated by City employees, will be covered. |
| | FINANCING AND MAN-POWER RESOURCES: | No additional funding or manpower needs are anticipated to enact these procedures. |
| D. | MEASURE: | Traffic re-routing or rapid clean-up of temporary sources of dust on paved roads. |
| | RESPONSIBLE AGENCIES: | Roads and Bridges, and Police Departments. |
| | IMPLEMENTATION SCHEDULE: | Written policies to clean up dust-producing spill within 3 hours, or re-route traffic around the spill, will be established and made known to the appropriate employees to be responsible for carrying out the policy. The City will provide the Police Department with operating procedures to re-route traffic, as appropriate. Policies and procedures will be developed and implemented prior to December 31, 1993. |
| | FINANCING AND MAN- | No additional funding or man- |

POWER RESOURCES: power needs are anticipated to enact these procedures.

SECTION 3. That annual progress reports will be provided to the Department of Environmental Quality.

SECTION 4. That the City of Somerton will consider modifications to the control measures set forth herewith and additional strategies, as appropriate, during the continuing planning process.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Somerton, this 5th day of November, 1991.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Reference: Resolution 360

Reference: Resolution 405

RESOLUTION NO.__360_____

A RESOLUTION OF THE CITY OF SOMERTON ADOPTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY FINAL STATE IMPLEMENTATION PLAN REVISION FOR THE YUMA $PM_{10}$ NONATTAINMENT AREA, NOVEMBER 1993 STATING THE CITY'S INTENT TO IMPLEMENT CERTAIN MEASURES CONTAINED IN THE PLAN.

WHEREAS, the Yuma -Somerton Urbanized Area regularly experiences air pollution at levels affecting the quality of life of our citizens, and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF SOMERTON as follows:

SECTION 1. That the City of Somerton adopt the 1993 particulate Plan Revision for $PM_{10}$ attached herewith as Exhibit A.

SECTION 2. That the City of Somerton intends to implement those control measures specific to Somerton which are established in the Plan Revision set forth herewith, subject to the availability of funding.

| | | |
|---|---|---|
| CATEGORY: | | PAVING ROADS |
| A. | MEASURE | Paving of unpaved roads. |
| | RESPONSIBLE AGENCIES | Engeering, Roads and Bridges, Planning and Finance Departments. |
| | IMPLEMENTATION SCHEDULE: | One quarter mile of unpaved roads will be paved by the end of the year 1993. |
| | FINANCING AND MANPOWER RESOURCES | Funding for the acitivities included in this measure have been included in annual operating budget. |
| B. | MEASURE: | Control track out from farm land adjoining pavement. |

| | | |
|---|---|---|
| | IMPLEMENTATION SCHEDULE: | Departments. Cooperation and coordination with the Department of Transportation (DOT) to convert a 23 foot right-of way to green belt by December 31, 1993. |
| | FINANCING AND MANPOWER RESOURCES: | Funding for the activities included in this measure will be provided by DOT. |
| C. | MEASURE: | Covering haul trucks carrying dust-producing loads. |
| | RESPONSIBLE AGENCIES: | Police, Road, Bridge and Planning Departments. |
| | IMPLEMENTATION SCHEDULE: | Police Department will enforce the existing measure (Arizona Revised Statutes Rule 18-2-406) beginning in 1993. A reminder of this requirement will be included in the City Business Licensing Program and in all Construction Permits issued by the City. All trucks with dust-producing-loads, operated by City employees, will be covered. |
| | FINANCING AND MANPOWER RESOURCES: | No additional funding or manpower needs are anticipated to enact these procedures. |
| D. | MEASURE: | Traffic re-routing or rapid clean-up of temporary sources of dust on paved roads. |
| | RESPONSIBLE AGENCIES: | Roads, Bridges, and Police Departments. |
| | IMPLEMENTATION | |

| | |
|---|---|
| SCHEDULE: | Written policies to clean up dust-producing spill, will be established and made known to the appropriate employees responsible for carrying out the policy. The City will provide the Police Department with operating procedures to re-route traffic, as appropriate. Policies and procedures will be developed and implemented prior to December 31, 1993. |
| FINANCING AND MANPOWER RESOURCES: | No additional funding or power needs are anticipated to enact these procedures. |

SECTION 3. That annual progress reports will be provided to the Arizona Department of Environmental Quality.

SECTION 4. That the City of Somerton consider modifications to the control measures set forth herewith and additional strategies, as appropriate, during the continuing planning process.

| | | |
|---|---|---|
| E. | CATEGORY: | Paved Roads. |
| | MEASURE: | Pave or chemically stabilize unpaved roads. |
| | IMPLEMENTATION SCHEDULE: | One quarter mile of unpaved roads will be paved by the end of the year 1994. |
| | FINANCING AND MANPOWER RESOURCES: | Funding for the activities included in this measure will be included in the annual operating budget. |
| F. | CATEGORY: | Fugitive Dust. |
| | MEASURE: | Prohibit permanent unpaved parking areas at commercial facilities. |
| | IMPLEMENTATION SCHEDULE: | To be implemented before December 10, 1994. |

| | | |
|---|---|---|
| | FINANCING AND MANPOWER RESOURCES: | City Resolution 405 to be be changed into City Ordinance before December 10, 1994. |
| G. | CATEGORY: | Fugitive Dust. |
| | MEASURE: | Requirements for dust control plans as part of construction contracts. |
| | RESPONSIBLE AGENCY: | City of Somerton. |
| | IMPLEMENTATION SCHDULE: | Will be implemented before December 10, 1994. |
| H. | CATEGORY: | Dust Control. |
| | MEASURE: | As a dust control measure the City has implemented a watering program for the City's alley's prior to 1993. |
| | IMPLEMENTATION SCHEDULE: | Prior to December 1993. |
| | FINANCING AND MANPOWER RESOURCES: | Public Works, water 4.56 miles of alley's every month with 50,000 gallons of water. |
| I. | CATEGORY: | Dust Control. |
| | MEASURE: | To set up a green belt on the east side of the Somerton City limits. |
| | IMPLEMENTATION SCHEDULE: | Approx. 1,575 linear ft.will be completed by December 10, 1994 |
| | FINANCING & RESOURCES: | City of Somerton and AZ Dept. of Transportation. |

A Resolution of the City of Somerton adopting the Arizona Department of Environmental Quality Final State Implementation Plan Revision for the Yuma PM10 nonattainment area, November 1993 stating the City's intent to implement certain measures contained in the plan is hereby PASSED AND ADOPTED by the Mayor and Common Council of the City of Somerton, this 15th day of June 1994.

Vivian Robinson

Vivian Robinson, Mayor

ATTEST:

Enrique Castillo

Enrique Castillo, City Manager

**PUBLIC WORKS DEPARTMENT**
155 West 14th Street, Yuma, AZ 85364-4711
(928) 373-4500 and 373-4502 Telephone
(928) 373-4501 or 373-4503 FAX
(928) 373-5149 TDD

101642

**DATE:** 12/21/2004

**TO:** MARK LEWANDOWSKI

**FAX NO.:** ANDRA JUNIEL (602) 771-2366

**FROM:** Ibrahim Osman - City of Yuma

**SUBJECT:** Project Information Sign Ordinance

03 **PAGES, INCLUDING COVER PAGE**

**NOTE:** Please share with Andrea. If you've any questions, let me know (928) 373-4531

**IF RECEIVER EXPERIENCES DIFFICULTY IN RECEIVING THIS COMMUNICATION, PLEASE CONTACT (928) 373-4500 OR (928) 373-4502 AT THE CITY OF YUMA, PUBLIC WORKS OFFICE.**

101642

**ORDINANCE NO. O2004-72**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ESTABLISHING A DUST COMPLAINT SIGN REGULATION AND PROVIDING A PENALTY FOR VIOLATIONS THEREOF**

**WHEREAS**, the City of Yuma is interested in cooperating with the Arizona Department Environmental Quality relating to matters of fugitive dust; and,

**WHEREAS**, one of the measures that can be taken is to provide for a project information sign requirement on projects involving earth moving at sites over a certain size.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Yuma, as follows:

**SECTION 1: DEFINITIONS:** For the purpose of this ordinance, the following definitions shall apply:

(A) BUILDING PERMIT – An official document or certificate issued by the City of Yuma, which authorizes the performance of a specific construction work, grading or alteration of ground features to create certain improvements and structures.

(B) GRADING - Excavation of or fill placement of material upon a land surface to create a desired slope or elevation.

**SECTION 2: PROJECT INFORMATION SIGN:** For all sites with a building or grading permits that are one acre or larger, except for routine maintenance, the owner and/or operator shall erect and maintain a project information sign in accordance with Standard No. 8-100, Work Zone Identification Sign, Sign WZIS-1, of the City of Yuma Construction Standard Detail Drawings, that is readable by the public at the main entrance. Such sign shall have a white background, have black block lettering that is at least four inches high, and shall contain at least all of the following information:

According

(A) Project name and permit holder,

(B) Building or grading permit number,

(C ) Name and phone number of person(s) responsible for conducting the project, and

(D) Text stating: "Dust Complaints" Call the City of Yuma- Public Works Department (insert the current/ accurate phone number or the complaint phone line).

101642

**SECTION 3: ENFORCEMENT:**

(A) Stop-Work Order; Revocation of Permit

In the event that any person holding a building or grading permit pursuant to this ordinance violates the terms of the ordinance the City may suspend or revoke the building permit.

(B) Violation and Penalties

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed $1,000 or by imprisonment for not more than ten days or both fine and imprisonment. Each separate day or part thereof, during which any violation of said sections shall be punishable as herein provided.

**SECTION 4: EXEMPTIONS:** The following are exempt from the requirements of this ordinance: normal farm agricultural practices under Arizona Revised Statutes (A.R.S.) §49-457 and §49-504.4, and open areas, vacant lots, unpaved parking lots, and unpaved roadways that are not located at sources that require any permit under these rules.

Passed and adopted this 1st day of December, 2004.

APPROVED:

Lawrence K. Nelson
Mayor Deputy Mayor

ATTESTED:

Brigitta M. Kuiper
City Clerk

APPROVED AS TO FORM:

Steven W. Moore
City Attorney

ORDINANCE NO. 02004-62

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING THE YUMA CITY CODE, CHAPTER 21, SECTION 213-12, RELATING TO MOTOR VEHICLES AND TRAFFIC AND TO BUSINESSES REGULATED, DEFINING MOTORIZED SKATEBOARDS AND MOTORIZED PLAY VEHICLES; REGULATING THE USE OF MOTORIZED SKATEBOARDS AND MOTORIZED PLAY VEHICLES; REQUIRING MERCHANTS TO MAKE CERTAIN DISCLOSURES IN CONNECTION WITH THE SALE OF MOTORIZED SKATEBOARDS AND MOTORIZED PLAY VEHICLES; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the State has granted municipalities express authority to regulate the operation of motorized skateboards (Arizona Revised Statutes §28-101); and,

WHEREAS, the City Council finds it is in the public interest to regulate the operation of motorized skateboards and motorized play vehicles.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1. That the Yuma City Code, Title 21, §213-12 is hereby amended to read as follows:

213-12: MOTORIZED SKATEBOARDS AND MOTORIZED PLAY VEHICLES:

(A) Obedience to Traffic Laws:

(1) Except as to those provisions of law which by their nature can have no application, any person operating a motorized skateboard or motorized play vehicle on a roadway or on any shoulder adjoining a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by both:

(a) The laws of this State declaring rules of the road applicable to vehicles; and

(b) The traffic laws of the City applicable to the driver of a vehicle.

(2) This Section shall not be construed to require the licensing or registration of motorized skateboards; the licensing of motorized skateboard or motorized play vehicle operators or the carrying of insurance covering accidents involving motorized skateboards or motorized play vehicles.

(B) Definitions. In this article, unless the context otherwise requires:

(1) Motorized Skateboard means a self-propelled device that has a motor, gas or electric, a deck on which a person may ride and at least two tandem wheels in contact with the ground, and which is not otherwise defined in Arizona Revised Statutes, Title 28, as a "motor vehicle", "motorcycle", "motor driven cycle", "motorized wheelchair" or "electric personal assistive mobility device."

(2) Motorized Play Vehicle means a coaster, scooter, any other alternatively fueled device, or other motorized vehicle that is self-propelled by a motor or engine, gas or electric and which is not otherwise defined in Arizona Revised Statutes, Title 28, as a "motor vehicle", "motorcycle", "motor driven cycle", "motorized wheelchair" or "electric personal assistive mobility device."

(C) Responsibilities of Parents, Guardians, and Custodians:

(1) The parent, guardian, or legal custodian of any minor or ward shall not authorize or knowingly permit such minor or ward to violate any of the provisions of this Article.

(2) No minor shall operate a motorized skateboard or motorized play vehicle on any City right-of-way, including streets, roadways, and paved alleyways, unless the minor possesses at all times while operating the motorized skateboard or motorized play vehicle a written consent of the minor's parent or legal guardian. The written consent shall be signed by the parent or legal guardian, whose signature shall be notarized, and shall contain the following:

16-19 yrs of age minor

(a) The name and date of birth of the minor.

(b) The residence address of the minor and parent/guardian.

(c) The residence and work telephone number of the parent/guardian.

(d) The following statement:

I am the parent/guardian of the minor named herein and hereby authorize said minor to operate a motorized skateboard or motorized play vehicle in the City of Yuma. I have read and discussed with said minor the applicable laws of the State of Arizona and of this City regarding the operation of motorized skateboards and play vehicles and have assured myself that said minor understands these regulations.

(D) Operation Prohibited in Certain Areas and at Certain Times:

(1) No person shall operate a motorized skateboard or motorized play vehicle on any sidewalk except for use in crossing such sidewalk to gain access to any public or private road or driveway.

(2) No person shall operate a motorized skateboard or motorized play vehicle in any City parking structure or City park, except for use on public roadways within such park on which a motorized skateboard or motorized play vehicle is otherwise allowed.

(3) No person shall operate a motorized skateboard or motorized play vehicle on any public property that has been posted or designated by the owner of such property as an area in which the operation of motorized skateboards or motorized play vehicles is prohibited.

(4) No person shall operate a motorized skateboard or motorized play vehicle on any private property of another, including any canal bank and irrigation district or any public property which is not held open to the public for vehicle use, without the written permission of the owner, or the owner's authorized agent.

(5) No person shall operate a motorized skateboard or motorized play vehicle on any public roadway having a speed limit established greater than twenty five (25) miles per hour.

(6) No person shall operate a motorized skateboard or motorized play vehicle on a City right-of-way, including streets, roadways, and paved alleyways, except during daylight.

(7) No person shall operate a motorized skateboard or motorized play vehicle on any unpaved alleyway.

(E) General Operating Restrictions:

(1) No child under the age of sixteen (16) shall operate a motorized skateboard or motorized play vehicle.

(2) No person shall operate a motorized skateboard or motorized play vehicle in excess of the posted speed limit or at a speed greater than is reasonable and prudent under the circumstances then existing.

(3) A person operating a motorized skateboard or motorized play vehicle, approaching a sidewalk, bicycle path, bicycle lane, or multiuse path in order to cross such, shall yield the right-of-way to all other users.

(4) No person operating a motorized skateboard or motorized play vehicle shall allow passengers when the motorized skateboard or motorized play vehicle is in operation or motion.

(5) No person operating or riding upon a motorized skateboard or motorized play vehicle shall attach themselves or the motorized skateboard or motorized play vehicle in any manner to any other vehicle.

(6) No person shall operate a motorized skateboard or motorized play vehicle while carrying any package, bundle, or article which prevents the operator from keeping both hands upon the steering mechanism at all times.

(7) No person operating a motorized skateboard or motorized play vehicle shall transport extra fuel in a separate container or alter the fuel reservoir from the original manufacturer's design. This includes the prohibition of physically attaching fuel packs or containers to the operator's person.

(8) No person shall operate a motorized skateboard or motorized play vehicle in a manner causing excessive, unnecessary, or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to a reasonable person of normal sensitivity.

(9) No person shall operate a motorized skateboard or motorized play vehicle that has been structurally altered from the original manufacturer's design, including but not limited to the alteration or removal of any muffler.

(F) Required Safety Equipment:

(1) No person shall operate a motorized skateboard or motorized play vehicle at any time when there is not sufficient light to render clearly discernible persons and vehicles at a distance of five hundred feet (500') ahead.

(2) No person shall operate a motorized skateboard or motorized play vehicle unless it is equipped with a brake, which enables the operator to make a braked wheel(s) skid on pavement.

(3) A person under the age of eighteen (18) years operating a motorized skateboard or motorized play vehicle on a roadway shall at all times wear a protective helmet on his or her head in an appropriate and safely secured manner. The helmet shall meet minimum standards of testing and safety inspection type approved for bicycle use.

(4) No person shall operate a motorized skateboard or motorized play vehicle without wearing footwear. The footwear must have a sole and completely cover the feet and toes.

(5) A person operating a motorized skateboard or motorized play vehicle shall wear, at all times, protective glasses or goggles or a transparent face shield of a type approved for motorcycle or motor-driven cycle use.

(G) Merchant's Disclosure Requirements:

(1) It is unlawful for a merchant to sell motorized skateboards or motorized play vehicles without making the disclosures required by this section.

(2) Any merchant who sells motorized skateboards or motorized play vehicles within the City limits of Yuma shall:

(a) Post, in a prominent place at each location where motorized skateboards or motorized play vehicles are on display, a notice to the effect that operation of motorized skateboards or motorized play vehicles is regulated by Yuma City Code, Section 213-12.

(b) Provide a copy of such notice and a copy of Yuma City Code, Section 213-12 to each purchaser of a motorized skateboard or motorized play

vehicle, either before or in connection with the purchase.

(H) Providing Penalties for Violations Thereof:

(1) Any person who or corporation that violates any provisions of this chapter is subject to a civil sanction pursuant to A.R.S. § 28-626, or any successor, unless a code section defining a specific penalty to an offense provides otherwise.

(2) Any person who violates any provision of § 213-12 of this chapter shall be guilty of a civil offense, which shall be punishable by a minimum civil sanction of $75, plus the penalty assessments prescribed by statute. If a person is convicted of a second violation of § 213-12 of this chapter within a period of 12 months, the minimum civil sanction shall be a fine of $100, plus the penalty assessments prescribed by statute. If a person is convicted of a third or subsequent violation of §213-12 of this chapter within a period of 12 months, the minimum civil sanction shall be a fine of $125, plus the penalty assessments prescribed by statute. The maximum civil sanction, which may be imposed under § 213-12 of this chapter shall be $500.

SECTION 2. If any provisions of this ordinance, or the application thereof to any person or circumstance is invalid, the invalidity shall not effect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

Passed and adopted this _____ day of 10/6/04, 2004.

APPROVED:

_____
Lawrence K. Nelson
Mayor

ATTESTED:

_____
Brigitta M. Kuiper
City Clerk

APPROVED AS TO FORM:

Steven W. Moore

Steven W. Moore
City Attorney

# Ordinance O98-24

## 1997 Uniform Building Code

declared a Public Record by R98-11

These codes have not been microfilmed.
They can be located as attachments to
the hardcopy version of R98-11.

ORDINANCE NO. O98-24

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, REPEALING CITY OF YUMA ORDINANCE NUMBER 2681; AMENDING CHAPTER 7 SECTION 7-18 THROUGH 7-28 OF THE YUMA CITY CODE TO ADOPT THE UNIFORM BUILDING CODE, VOLUME #1, #2 AND #3, 1997 EDITION, FIRST PRINTING, ADOPTING APPENDIX CHAPTERS THREE DIVISION I, THREE DIVISION II, THREE DIVISION 1V, CHAPTER FOUR DIVISION I, FOUR DIVISION II, CHAPTER TWELVE DIVISION II, CHAPTER FIFTEEN, CHAPTER TWENTY-ONE, CHAPTER TWENTY-NINE, CHAPTER THIRTY-ONE DIVISION II, THIRTY-ONE DIVISION III, AND CHAPTER THIRTY-THREE OF SAID BUILDING CODE, FOR SAID CITY; AMENDING PORTIONS OF SAID BUILDING CODE, ADOPTING ARIZONA REVISED STATUTES, SECTION 41-1492 ET SEQ BY REFERENCE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF.**

Be it ordained by the City Council of the City of Yuma, Arizona as follows;

**ARTICLE I: BUILDING CODE**

**Section 7-1: Title: Building Code:**

**Section 7-2: Adopted:** That certain documents, three (3) copies of which are on file as public record in the office of the City Clerk of the City of Yuma, being marked and titled as Uniform Building Code, 1997 edition, first printing, which was made public record by resolution number R98-11, including Appendices chapter three division I, three division II, three division IV, chapter four division I, four division II, twelve division II, chapter fifteen, chapter twenty-one, chapter twenty-nine, chapter thirty-one division II, thirty-one division III, and chapter thirty-three of said building code, as amended herein, are hereby adopted by reference and made a part hereof as is fully set out herein.

**Section 7-3: Amendments:** The following amendments, additions and deletions are hereby made to the 1997 Uniform Building Code as adopted by this ordinance. Paragraph, section numbers refer to the Uniform Building Code numbering system. Code references not appearing in this section "as amended" shall be enforced as published in the reference document.

**Sec. 105:** That Section 105 be amended to read as follows.

**Board of Appeals:** That the section heading "Board of Appeals" be amended be to read "Building Advisory Board". Whenever reference is made to the Board of Appeals it shall be construed to mean the Building Advisory Board as defined herein.

**Sec. 105.1:** That Section 105.1 be amended to read as follows.

**Building Advisory Board:** There is hereby established a Building Advisory Board

for the purpose of advising the Building Official in matters pertaining to the development and enforcement of this code. The Building Advisory Board shall consist of (2) Architects/Engineers and (3) General Contractors and two citizens, one of whom shall be indirectly associated with the construction industry, IE insurance agent, Realtor, appraiser. A member of the Fire Prevention Bureau of the City of Yuma Fire Department shall be a permanent non-voting member. The Building Official shall be an ex-officio member and shall serve as secretary to said board but shall not vote on any matter before the board. The Building Advisory Board shall be appointed by the City Council and shall hold office at its pleasure.

Should no professionals be available for appointment that meet the criteria listed herein, the City Council may select a person whose background approximates the knowledge and expertise being sought.

Duties of the Building Advisory Board shall be;

**1.** To elect a chairman from the members who shall preside at the meetings. Said board shall also elect a vice-chairman from the members who shall reside at the meetings during the absence of the chairman. Elections shall be held annually. The board shall adopt such rules and regulations as it sees fit for the proper and efficient discharge of their official duties. A member missing three (3) consecutively scheduled meetings without just cause shall be grounds for replacement by the City Council.

**2.** To keep an accurate record of all of the building advisory boards official transactions.

**Sec. 105.2:** That Section 105.2 be amended to read as follows.

**Limitations of Authority:** The Building Advisory Board shall have no authority relative to the interpretation of the adopted administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

**Sec. 105.3:** That a new Section 105.3 be added to read as follows.

**Board of Appeals:** The building advisory board shall serve as the board of appeals in deciding appeals of orders, decisions, or determinations of the Building made in writing to the Building Official and the appellant shall appear in person before the board or may be represented by legal council and may introduce evidence to support his claims. Appeals shall be heard at reasonable times at the convenience of the board, but not later than (30) thirty days after receipt of the notice to appellant. The appellant shall cause to be made at his own expense any tests or research required by the board to substantiate his claim.

**2.** The board shall keep an accurate record of all its official transactions and render all such decisions and findings in writing to the appellant and to other person or persons the Building Official may require and direct.

**Sec. 106.2:** That Section 106.2 be amended to read as follows.

**Work Exempt from Permits:**

**1.** One, single story detached accessory building associated with one and two family dwellings "R-3" and used as tool and storage sheds, play houses and similar uses. The structure shall not exceed 120 square feet of floor area. Overhangs shall not exceed 24".

**5.** For the purposes of this section a retaining wall is any wall which retains more than 12" of soil above the top of the footing. Retaining walls which are not over four (4') feet in height measured from the bottom of the footing to the top of the wall and are not a part of the supporting structure for fences, driveways, sidewalks, other surcharges or impounding class I, II or III-A- liquids.

**9.** Motion picture TV and theater sets shall be subject to the provisions of the film commission guidelines.

**10.** Window Awnings supported by the exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches and meeting the requirements of section 503.2.1.

**11.** Prefabricated, above ground, Swimming Pools with a maximum depth of twenty four (24) inches accessory to a Group R, Division 3 occupancy that are designed to be emptied after use and do not require the use of pumps, filters or there equipment for operation, and which have a maximum capacity of 5000 gallons. All pools are required to be enclosed as prescribed in appendix chapter 4 division I.

**Sec. 106.3:** That a second and third paragraph be added to section 106.3.2 to read as follows.

**Submittal Documents:** All plans, specifications, computations and other data for Fire Sprinkler systems, new or altered, shall be designed and prepared by an Engineer or Architect licensed by the state of Arizona to practice as such. Altered systems include relocation or extension of any part of an existing system whether pipe scheduled or hydraulically calculated.

All plans for fire sprinkler systems shall be included as a part of the original submittal of building plans. No permits for vertical construction will be issued until the building and sprinkler plans have been approved.

**Sec. 106.4:** That the first paragraph of Section 106.4.1 to read as follows.

**Issuance:** The application, plans, specifications computations and other data filed by the applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and

ordinances, and that all fees, as required by the jurisdiction have been paid, the Building Official shall issue a permit therefor to the applicant.

**Sec. 108.5:** That Section 108.5.6 be amended to read as follows.

**Final Inspection:** To be made after all inspections, as required by this code and other applicable laws of the jurisdiction, have been performed and it has been determined the building and site is completed and ready to occupy.

**Sec. 108.8:** That the fourth paragraph of section 108.8 be amended to read as follows.

**Reinspection:** To obtain a reinspection, the applicant shall pay the reinspection fee n accordance with Table 1-A or as set forth in the fee schedule adopted by the jurisdiction.

**Table 1-A:** That Table 1-A be amended to read as follows.

**Table 1-A Building Permit Fees:**

| **Total Valuation** | **Fee** |
|---|---|
| $1.00 to $500.00 | $15.00 |
| $ 501.00 to $ 2,000.00 | $15.00 for the first $500.00 plus $2.00 for each additional $100.00, or fraction thereof, to and including $2000.00 |
| $2,001.00 to $25,000.00 | $45.00 for the first $2,000.00 plus $9.00 for each additional $1,000.00. Or fraction thereof, to and including$25,000.00 |
| $25,001.00 to $50,000.00 | $252.00 for the first $25,000.00 plus $6.50 for each additional $1,000.00, or fraction thereof, to and including $50,000.00 |
| $50,001 to $100,000.00 | $414.50 for the first $50,000.00 plus $4.50 for each additional $1,000.00, or fraction thereof, to and including $100,000.00 |
| $100,001.00 to $500,000.00 | $639.50 for the first $100,000.00 plus $3.50 for each additional $1,000.00, or fraction thereof, to and including $500,000.00 |
| $500,001.00 to $1,000,000.00 | $2,039.50 for the first $500,000.00 plus $3.00 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00 |
| $1,000,001.00 and up | $3,539.50 for the first $1,000,000.00 plus $2.00 for each additional $1,000.00, or fraction thereof. |

**Other inspections and Fees:**

1. Inspections outside of normal business hours.....$44.00 per hour*
   (minimum charge-2 hours)
2. Reinspection Fees assessed under provisions of section 108.8.....$44.00 per hour*
3. Inspection fees for which no fee is specifically indicated..... $44.00 per hour*
   (minimum charge-one-half hour)
4. Additional plan review required by changes, additions or revisions to plans.....$44.00 per hour*
   (Minimum charge-one-half hour)
5. For use of outside consultant.. For plan checking and inspections, or both.....Actual Costs**

* Or the total hourly cost to the jurisdiction, which ever is the greatest. This shall include supervision, hourly wages and fringe benefits of the employee involved.

**Actual costs include administrative and overhead costs.

**Sec. 310.9:** That new Subsections .6 and .7 be added to Section 310.9.1 to read as follows.

**.6 Existing:** When any existing residential occupancy is sold or converted, the sold or converted unit(s) shall be provided with smoke detectors as specified herein for existing buildings.

**.7 Installation:** Approved Smoke Detectors shall be installed in accordance with the manufacturer's instructions.

**Sec. 312.4:** That the second paragraph of section 312.4, Special Hazards, be amended to read as follows.

**Special Hazards:** Under no circumstances shall a private garage or carport have any opening into a room used for sleeping purposes.

**Sec. 312.5:** That section 312.5 be amended to read as follows.

**Garage floor surfaces:** In areas where motor vehicles are stored or operated, floor surfaces shall be of non combustible, non absorbent materials such as, concrete or asphaltic paving.

**Chapter 11:** That the content of chapter 11 be deleted and replaced with Arizona Revised Statute (ARS) Section 41-1492 et seq, Arizonans With Disabilities Act.

**Sec. 1701.2:** That Section 1701.2 be amended to read as follows.

**Special Inspector:** The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the Building Official, for inspection of the particular type of construction or operation requiring special inspection. The special inspectors qualifications shall be submitted to the Building Official for review and approval as recommended in the Special Inspection Handbook.

**Sec. 1806.7:** That Section 1806.7.1 be amended to read as follows.

**Foundations with stemwalls:** Foundations with stemwalls shall be provided with minimum of one # 5 bar at the top of the wall and one # 5 bar at the bottom of the footing. In addition #4 vertical bars, with a minimum 6 inch std 90 degree hook shall be installed at 48 inches on center and shall be securely tied to the horizontal bars.

**Sec. 1806.7.2:** That Section 1806.7.2, be amended to read as follows.

**Slabs on-ground with turn-down footings:** Slabs on-ground with turn-down footings shall be provided with a minimum of one # 5 bar top and bottom. In addition # 4 vertical bars , with a minimum 6 inch std 90 degree hook shall be installed at 48 inches on center and shall be securely tied to the horizontal bars.

**Sec. 1806.7.2: That** Section 1806.7.2, exception be deleted

**Exception:** Delete.

**Table 18-1-C:** That table 18-1-C be amended to read as follows.

Table 18-1-C

| NUMBER OF FLOORS SUPPORTED BY THE FOUNDATION 3 | THICKNESS OF FOUNDATION WALL (inches) | | WIDTH OF FOOTING (inches) | THICKNESS OF FOOTING (inches) | DEPTH BELOW UNDISTURBED GROUND SURFACE | REQUIRED FOOTING REINFORCING 4,5 | | REQUIRED STEM REINFORCING 4,5 | |
|---|---|---|---|---|---|---|---|---|---|
| | CONCRETE | UNIT MASONRY | | | | HORZ | VERT | HORZ | VEER |
| 1 | 6 | 6 | 12 | 6 | 12 | 1 | 1 | 1 | 1 |
| 2 | 8 | 8 | 15 | 7 | 18 | 2 | 1 | 1 | 1 |
| 3 | 10 | 10 | 18 | 8 | 24 | 3 | 1 | 2 | 1 |

1. Where unusual conditions or frost conditions are found, footings and foundations shall be as required in section 1806.1.
2. The ground under the floor may be excavated to the top of the footing.
3. Foundations may support a roof in addition to the stipulated number of floors. Foundations supporting roofs only shall be as required for supporting one floor.
4. Minimum reinforcing size shall be #5 (5/8")
5. Vertical reinforcing shall be spaced a maximum forty eight inches (48") on center.

**Sec. 1900.4.4:** That section 1904.4 be amended to read as follows.

**Minimum Slab Thickness:** The minimum thickness of concrete floor slabs supported directly on the ground shall be not less that 3 ½ inches and such slab shall

be provided with control, contraction or expansion joints at a maximum of 12 feet on center in both directions.

**Sec. 2320.5.1:** That section 2320.5.1 be amended, by the addition of a second exception, to read as follows.

Exception #2: An attached, single story, U occupancy in association with an R-3 occupancy, may have braced wall line spacing increased to 34 feet on center in one direction to accommodate a single U occupancy not exceeding 900 square feet. The Building official may require additional walls to contain braced wall panels when this exception is used.

**Table. 23-IV-B:** That Table 23-IV-B be amended, by the addition of a footnote number "# 3" to items 2, 3, 4, 5, of the table to read as follows.

Footnote #3: Interior non-bearing walls may be topped with a pony wall to match the slope of a vaulted ceiling. Both sections of the wall shall have double plates. The wall shall be finished with a minimum of ½" drywall on both sides. The drywall shall overlap the connection of the base wall and the pony wall not less than twelve inches (12"). Interior braced wall lines shall intersect such walls at a maximum of twenty five feet (25' o/c).

**Table. 23-IV-B:** That Table 23-IV-B be amended, by the addition of a footnote number "# 4" to item 5, of the table to read as follows.

Footnote #4: Exterior walls may have the stud height increased to eighteen foot six inches, (18'6"), under the following conditions. Stud spacing shall be 2X6 spaced a maximum of sixteen inches on center (16" o/c). The wall shall have solid blocking evenly distributed, vertically, throughout the wall at not more than four foot on-center, (4' O/C), and shall be sheathed on one side with not less than three-eights inch, (3/8"), structural sheathing nailed on all edges at four inches on center, (4" O/C). Field nailing shall be at six inches on center, ( 6" O/C).

**Sec. 2602.4:** That section 2602.4 be amended to read as follows.

**Thermal Barrier:** The interior of the building shall separated from the foam plastic insulation by an approved thermal barrier having an index of 15 when tested in accordance with U.B.C. Standard No. 26.2. The thermal barrier shall be installed in such a manner as to be in substantial contact with the foam plastic insulation. If substantial contact can not be accomplished all voids shall be filled with mineral fiber or other approved insulating material. The thermal barrier shall be secured such that it will remain in place for the time of its index classification based on approved diversified tests.

**Sec. 2902.3:** That section 2902.3 be amended to read as follows.

**Groups, B, F, H, M and S Occupancies:** In Groups B, F, H, M and S Occupancies, buildings or portions thereof where persons are employed shall be provided with

restrooms as specified in Appendix Chapter 29 of this code.

**Appendix Chapter 4, Division I:** That section 419.1 be amended to read as follows:

**Scope:** The provisions of this section shall apply to the design and construction of barriers for all swimming pools.

**Appendix Chapter 4, Division I:** That sentence #1, #2 and #3 of item 1 of section 421.1 be amended to read as follows:

**Outdoor Swimming pool:** The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 4 inches. The surface below the barrier shall be a solid surface such as a concrete deck, and shall extend a minimum of 12" beyond either side of the barrier. On above ground pools the barrier may be mounted on the top of the aboveground pool structures.

**Appendix Chapter 33:** That the first paragraph of section 3305 be amended to read as follows.

**Scope:** This appendix sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction. The provisions of this appendix are intended to be used in conjunction with the provisions set forth in City Ordinance No. 1670; and 1836.

**Sec. 3309:** That section 3309 be amended by adding a new subsection 3309.11 to read as follows.

**Dust control:** Prior to construction a plan shall be submitted to the Building Official outlining the steps that will be taken throughout construction to minimize and control dust associated with the project.

**Appendix Chapter 34:** That section 3406.2 be amended to read as follows.

**Effective Date:** Within 18 months after the issue of notice and order to the building owner, plans for compliance shall be submitted and approved, and within 18 months thereafter the work shall be completed or the building shall be vacated until made to comply.

**Section 7.4: Conflicts:** Where, in any specific case, different sections of this code and other codes of the jurisdiction specify different materials, methods of construction or other requirements, the more restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**Section 7-5: Penalty for violation:** Unless otherwise specifically provided for in this

chapter, any person or corporation who shall violate any provision of the code adopted by the provisions of this chapter shall be guilty of a Class I Misdemeanor, and shall be punished as provided in section 1-10 of the city code.

**Section 7-6: Validity:** If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the City Council of the City of Yuma, Arizona this 15th day of April 1998.

APPROVED:

Marilyn R. Young

Marilyn R. Young
MAYOR

ATTEST:

Brigitte K. Stanz, Acting City Clerk

CITY CLERK

REVIEWED BY

Joyce A. Wilson

Joyce A. Wilson
CITY ADMINISTRATOR

APPROVED AS TO FORM

Steven W. Moore

Steven W. Moore
CITY ATTORNEY

1997ubc.009
revised 02/24/98

RESOLUTION NO. 2800

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ADOPTING THE YUMA PM-10 STATE IMPLEMENTATION PLAN AS REQUIRED BY THE CLEAN AIR ACT AMENDMENTS OF 1990 AND DECLARING AN EMERGENCY WITH REASONS THEREFOR.

WHEREAS, the State of Arizona Department of Environmental Quality (ADEQ), promulgated regulations and established a State Implementation Plan for purposes of complying with the Clean Air *Act* Amendments of 1990, said Plan known as the Implementation Plan for the Yuma PM-10 Nonattainment Area";

NOW, THEREFORE, be it resolved by the City Council of the City of Yuma, Arizona, as follows:

SECTION 1: That the State Implementation Plan for the Yuma PM-10 Nonattainment Area, three (3) copies of which are on file in the office of the City Clerk, which was made public record by Resolution No. 2799 of the City of Yuma, is hereby referred to, adopted and made a part hereof as if fully set out in *this* resolution.

SECTION 2: That the City Administrator or designee is hereby authorized to execute any and all documents necessary for the adoption and implementation of said Plan.

SECTION 3: That in order to preserve the public peace, health, and safety within the City of Yuma, it is necessary that this resolution become immediately operative to avoid the imposition of sanctions against the City of Yuma as authorized by the Clean Air Act Amendments of 1990; and as such shall be exempt from the referendum and shall become immediately effective from and after its passage by Council as provided by the Charter of the City of Yuma.

PASSED AND ADOPTED this 15th day of June, 1994.

ATTEST:

Carrie S. Faisil
City Clerk

APPROVED:

Marilyn R. Young
Marilyn R. Young, Mayor

APPROVED AS TO FORM:

Steven W. Moore
Steven W. Moore
City Attorney

REVIEWED BY:

Dick Coyle
City Administrator

City of YUMA

# CERTIFICATION

I, Brigitta K. Stanz, do hereby certify that I am the duly appointed City Clerk of the City of Yuma, Arizona, and that the attached ordinance, Ordinance No. 2638, is a true and correct copy of the ordinance on file in the Office of the City Clerk.

Brigitta K. Stanz

Brigitta K. Stanz, City Clerk

1-21-03

Date

**ORDINANCE NO. 2638**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, ESTABLISHING PROCEDURES AND REGULATIONS FOR DUST ABATEMENT; ESTABLISHING DUST CONTROL MEASURES RELATIVE TO DUST PRODUCING LOADS ON VEHICLES; AMENDING THE YUMA CITY CODE, CHAPTER 30, AND PROVIDING A PENALTY FOR VIOLATION THEREOF.

WHEREAS, the City Council of the City of Yuma is desirous of implementing dust abatement measures which would enable the City to comply with the Clean Air Act Amendments of 1990 and The Yuma PM-10 State Implementation Plan (SIP);

NOW, THEREFORE, be it ordained by the City Council of the City of Yuma as follows:

Section 1. That the Yuma City Code is hereby amended by adding the following sections:

**Sec. 30-10. Roadways and streets.**

A. No person shall cause, suffer, allow or permit the use, repair, construction or reconstruction of a roadway or alley without taking reasonable precautions to prevent excessive amounts of particulate matter from becoming airborne. Dust and other particulates shall be kept to a minimum by employing temporary paving, dust suppressants, wetting down, detouring or by other reasonable means.

B. No person shall cause, suffer allow or permit transportation of materials likely to give rise to airborne dust without taking reasonable precautions, such as wetting, applying dust suppressants, or

covering the load, to prevent particulate matter from becoming airborne. Earth or other material that is deposited by trucking or earth moving equipment shall be removed from paved streets by the person responsible for such deposits.

**Sec. 30-11. Material handling.**

No person shall cause, suffer, allow or permit crushing, screening, handling, transporting or conveying of materials or other operations likely to result in significant amounts of airborne dust without taking reasonable precautions, such as the use of spray bars, wetting agents, dust suppressants, covering the load, and hoods to prevent excessive amounts of particulate matter from becoming airborne.

Section 2. It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of this Ordinance. Any person, firm or corporation violating any of the provisions or the requirements of this Ordinance shall be guilty of a Class 3 Misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars ($500) or by imprisonment for not more than one (1) day or by both fine and imprisonment. Each separate day or part thereof during which any violation of this Ordinance occurs or continues shall be deemed to

constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

PASSED AND ADOPTED this 30th day of November, 1993.

ATTEST:

City Clerk

APPROVED:

Robert H. Tippett
Mayor

APPROVED AS TO FORM:

Steven W. Moore
City Attorney

REVIEWED BY:

Douglas W. Lowe
City Administrator

RESOLUTION NO. 2682

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, COMMITTING TO IMPLEMENT CERTAIN PARTS OF THE STATE IMPLEMENTATION PLAN FOR THE YUMA $PM_{10}$ NONATTAINMENT AREA; AND ENTERING IN THE PUBLIC RECORD THE CITY COUNCIL'S COMMENTS REGARDING CERTAIN MATERIAL CONTAINED IN THAT PLAN.

WHEREAS, the United States Environmental Protection Agency has declared the Yuma area a $PM_{10}$ nonattainment area, and

WHEREAS, the local jurisdictions believe this characterization to be inaccurate, and

WHEREAS, nevertheless, the City of Yuma believes it is imperative that a plan be developed and submitted to EPA, notwithstanding any City objection, and

WHEREAS, the State of Arizona has prepared a State Implementation Plan for the Yuma $PM_{10}$ Nonattainment area, and

WHEREAS, consensus was reached by the Arizona Department of Environmental Quality and the local governmental entities, to be codified in the final State Implementation Plan for the Yuma $PM_{10}$ nonattainment area, such consensus stated in the October 31, 1991 public hearing record and attached as Exhibit A and incorporated herein by reference,

NOW, THEREFORE, be it resolved by the City Council of the City of Yuma, Arizona, as follows:

SECTION 1. That the City of Yuma commits to support the State Implementation Plan, with specific action steps as outlined in the attached Exhibit A.

SECTION 2. That the attached Exhibit A is the consensus statement introduced at the public meeting on October 31, 1991, and incorporates additional discussion at that hearing as well as Table 6.0.

SECTION 3. That the City of Yuma adopts comments to accompany the State Implementation Plan which are attached hereto and incorporated herein as Exhibit B.

SECTION 4. That the City of Yuma intends to implement the action steps as set forth herein, subject to the availability of funding.

SECTION 5. That the Yuma City Council will consider offsets and modifications to the control measures set forth herein and additional strategies, as appropriate, during the continuing planning process, all to be coordinated with ADEQ.

PASSED AND ADOPTED this 6th day of November, 1991.

ATTEST:

City Clerk

APPROVED:

Robert H. Tippett, Mayor

APPROVED AS TO FORM:

Steven W. Moore
City Attorney

REVIEWED BY:

Charles W. Jones
City Administrator

# City of Yuma
# Zoning Ordinance

# City Code
# Title 15, Chapter 154

One City Plaza
Yuma, Arizona 85366

## § 154-396 General Requirements.

(A) The duty to provide and maintain off-street parking and loading spaces herein required shall be the joint and several responsibility of the owner and occupant of the land on which is established any use for which any off-street parking or loading space is required to be provided and maintained.

(B) No building permit shall be issued, no use shall be established or changed, and no structure shall be erected, enlarged or reconstructed unless the applicant has presented satisfactory evidence to the building official that the off-street parking and loading spaces herein required are provided in the minimum amounts and maintained in the manner specified; provided, however:

(1) For the enlargement of a structure or for the expansion of a use of structure or land there shall be required only the number of off-street parking and loading spaces as would be required if such enlargement or expansion were a separate new structure or use; and

(2) For a change in the class or use of a structure or land, the number of additional off-street parking and loading spaces required shall be equal to the number required for the new use, less the number of spaces which would have been required for the previous use if it had been established in conformance with this subchapter; but in no case shall the total number of spaces furnished be required to exceed the minimum number required for the new use.

(C) For the purpose of this subchapter, an ***OFF-STREET PARKING SPACE***, unless otherwise provided in this subchapter, shall mean an area usable for the parking of a motor vehicle located entirely on private property consisting of a rectangle measuring no less than ten feet by 20 feet, exclusive of those additional areas required for safe ingress and egress to said space, whether enclosed or open to the sky, with a vertical clearance of at least seven feet, and provided with permanent access as designated by these regulations.

(D) For the purposes of this subchapter, a ***PARKING LOT*** shall mean any off-street parking facility designed to accommodate four or more required parking spaces as specified in this chapter. Parking lots shall conform to the design standards contained herein as well as other applicable city standards.

(E) All off-street parking spaces, parking lots, and loading areas shall be paved with a durable, dust-free surface of masonry; Portland cement, asphaltic concrete, or other durable, hard-faced material, except residential uses in the agriculture or suburban ranch zoning districts where gravel or ABC may be used.

(F) Gross floor area, for determining off-street parking and loading requirements,

shall mean the sum total of the gross areas of the several floors of a building or buildings measured from the exterior faces of exterior walls, or from the centerline of walls separating two buildings; and including open areas either covered or open to the sky used for serving the public as customers, patrons, clients or patients. Gross floor area shall not include: Underground parking space, uncovered steps, exterior balconies, exterior walkways, restrooms, or mechanical equipment areas.

(G) Joint usage of parking: The joint use of a parking lot for two or more buildings or mixed uses may be permitted provided that:

(1) The total number of spaces used together is not less than the sum required for various buildings or uses if computed separately.

(2) That the lot is in the same zoning district, or in a district that permits as a principal use the activity for which the parking is provided.

(3) A legal agreement prepared by and between users is filed with the Department of Development Services and the County Recorder.

(H) Parking spaces for the handicapped: A minimum 2% of the parking spaces required in all public places shall be provided in convenient locations and reserved for the handicapped, however, that no parking lot shall have less than one such parking space. The stall width for a parking space for the handicapped shall be not less than 12 feet in width and a ramp shall be provided if there is a change of level from the parking lot to the adjoining walk or building. Said spaces and ramps shall further conform to the provisions of A.R.S. § 41-1492.

(I) Fractional measurements: Unless otherwise provided for in the specific regulations, one additional parking space shall be required if the fractional number of one-half or more is calculated for required parking spaces.

('80 Code, App. A, § 160) (Ord. 583, passed 9-16-52; Ord. 800, passed 5-17-60; Ord. 1812, passed 2-7-79) Penalty, see § 154-999

- Manufactured Housing Park District (MHP)
- Transitional District (TR)
- Old Town District (OT)
- Planned Shopping Center District (PSC)
- Limited Commercial District (B-1)
  - § 154-215 Purpose
  - § 154-216 Principal Uses
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  - § 154-248 Conditional Uses
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- Aesthetic Overlay District (AO)
- Auto Center Overlay District
- Bed and Breakfast Overlay District (BBD)
- Historic District Overlay (H)
- Historic Park District (HP)
- Industrial Park District (I-P)
- Light Industrial District (L-I)
- Heavy Industrial District (H-I)
- Airport District
- Military Reservation (MR) District
- Public Designation (P)
- Recreation and Open Space District (RO)
- Off-Street Parking and Loading Regulations
  - § 154-395 Purpose
  - § 154-396 General Requirements
  - § 154-397 Parking Lots
  - § 154-398 Parking in Residential or Services Districts
  - § 154-399 Location
  - § 154-400 Exempt Areas
  - § 154-401 Minimum Parking Spaces Required
  - § 154-402 Off-Street Loading Regulations
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- Sign Regulations
- Outdoor Lighting Regulations
- Personal Wireless Communication Facilities
- Landscaping
- Planned Unit Developments (PUD)
- Variances
- Conditional Use Permits

## § 154-008 Enforcement.

(A) *Zoning Administrator.* The Planning Director, also known as Director of Planning, or an authorized deputy acting under his direction, shall be the Zoning Administrator. The Zoning Administrator, or his authorized deputy shall:

(1) Supply information about, and provide interpretations of, this chapter to the public, city departments and other agencies.

(2) Provide advice and assistance to all applicants for zoning actions.

(3) Accomplish all administrative actions required by this chapter; including receiving applications giving notice of hearings, preparation of reports, and processing appeals.

(4) Enforce the provisions of this chapter pertaining to the erection, construction, moving, reconstruction, conversion, alteration or addition to any building or structure and the use of any land, building, or premise.

(5) Inspect buildings, structures and lands as may be necessary or desirable for enforcement of this chapter.

(B) *Officials and employees.* All officials and employees of the city vested with the authority or duty to issue permits shall conform to the provisions of this chapter and shall issue no permit, certificate or license for uses, purposes, buildings, or structures in conflict with the provisions of this

chapter; any such permit, certificate or license issued in conflict with the provisions of this chapter shall be null and void.

(C) *Violations.* Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this chapter, and any use of any land, building, or premise established, conducted, operated or maintained contrary to the provisions of this chapter shall be, and the same is hereby, declared to be unlawful and a public nuisance; the Zoning Administrator shall immediately commence action or proceedings to abate, to remove or to enjoin occupancy of such building, structure or land in the manner provided by law, and shall take such other steps and shall apply to such Courts as may have jurisdiction to grant relief as will abate and remove such buildings or structures, and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining, occupying or using any such building or structure or using property contrary to the provisions of this chapter. The remedies provided for herein shall be cumulative and not exclusive. ('80 Code, App. A, § 200) (Ord. 583, passed 9-16-52; Ord. 1378, passed 9-4-74)

## § 154-009 Zoning Board of Adjustment.

(A) The Zoning Board of Adjustment shall consist of seven residents of the city appointed by the City Council as follows:

(1) Members shall be appointed for five-year terms, except that in the event of the death, resignation, or removal of a member, the vacancy is to be filled for the unexpired term.

(2) The terms of membership shall expire on January 31, in five-year increments from the following years of initial board member appointment:

(a) One member in 1975.

(b) Two members in 1976.

(c) One member in 1977.

(d) Two members in 1978.

(e) One member in 1979.

(B) The Board shall annually elect a Chairman and Vice Chairman from among its membership. The Planning Director, or an authorized deputy, shall serve as Secretary. The Chairman, Vice Chairman, or a Chairman Pro Tem, shall have the power to administer oaths and take evidence.

(C) Meetings of the Board shall be open to the public and the minutes of its proceedings, showing the vote of each member, and records of its examinations, and other official actions shall be filed with the Planning and Neighborhood Services Division as a public record.

Miscellany – Updated Dust Control Codes (City of Yuma)

## § 150-015 (A) Adoption of International Building Code 2003.

(A) That certain documents, three copies of which are on file as public record in the office of the City Clerk of the City of Yuma, being marked and titled as the International Building Code 2003, which was made public record by Resolution R2003-67, including Appendix of said building code, as amended herein, are hereby adopted by reference and made a part hereof as is fully set out herein.

## § 154-021 Permitted Principal Uses.

(J) Self-storage facilities shall be permitted for the keeping of household items or personal belongings, and for the purposes of dead storage, but in no event shall self-storage facilities be used for retail sales business conducted on the premises, nor as a distribution point for products or materials. Such self-storage facilities as permitted herein shall be subject to the following development standards which shall be in addition to the development standards specified by this subchapter:

(4) All parking and loading/unloading areas within the site shall be paved in the manner specified by §§ 154-395 through 154-403 of this chapter.

## § 154-024 Property Development Standards.

In addition to regulations and requirements contained in other sections of this chapter, the following minimum property development standards apply to all land and buildings in the AG District:

(F) *Landscaping and irrigation.* Landscaping and irrigation shall be provided in the manner set forth in §§ 154-445 through 154-451 of this chapter.

## § 154-055 Development Standards.

In addition to the regulations and requirements contained in other sections of this chapter, the following minimum property development standards apply to all land and buildings in the Residential Estate Districts as may be designated on the official zoning map:

(F) *Landscaping and irrigation.* Landscaping and irrigation shall be provided in the manner set forth in §§ 154-445 through 154-451 of this chapter.

## § 154-070 Development Standards.

In addition to the regulations and requirements contained in other sections of this chapter, the following minimum property development standards apply to all land and

buildings in the five Low Density Residential Districts as may be designated on the official zoning map:

(F) *Landscaping and irrigation.* Landscaping and irrigation shall be provided in the manner set forth in §§ 154-445 through 154-451 of this chapter.

## § 154-085 Development Standards.

In addition to the regulations and requirements contained in other sections of this chapter, the following minimum property development standards apply to all land and buildings in the Medium Density Residential District as may be designated on the official zoning map:

(G) *Landscaping and irrigation.* Landscaping and irrigation shall be provided in the manner set forth in §§ 154-445 through 154-451 of this chapter.

## § 154-100 Development Standards.

In addition to the regulations and requirements contained in other sections of this chapter, the following minimum property development standards apply to all land and buildings in the High Density Residential District as may be designated on the official zoning map:

(G) *Landscaping and irrigation.* Landscaping and irrigation shall be provided in the manner set forth in §§ 154-445 through 154-451 of this chapter.

## § 154-129 Development Standards.

To meet the purpose of this district, all uses within the Recreation Vehicle Subdivision District on legally created lots recorded with the County of Yuma prior to July 1, 1995 shall comply with the following minimum development standards:

(M) Landscaping: Street yard setbacks to the boundary walls, setbacks between the Recreation Vehicle Subdivision District and adjacent Residential or Agriculture Districts, stormwater detention basins, and any common recreational facilities shall be landscaped in accordance with the §§ 154-445 through 154-451 of this chapter.

## § 154-159 Development Standards.

(C) *Streets.* Park roadways shall have a minimum width of 32 feet between curbs and be paved with asphaltic concrete or equivalent. All street corners shall have a minimum turn radius of 25 feet.

## § 154-159 Development Standards.

(A) *Land area.* The minimum area of land used for a manufactured home park, recreational vehicle park, and recreational vehicle cooperative (or combination thereof) shall be three acres. A lot, parcel, or tract of land less than three acres may be rezoned if it adjoins an existing Manufactured Housing Park (MHP) District.

(C) *Streets.* Park roadways shall have a minimum width of 32 feet between curbs and be paved with asphaltic concrete or equivalent. All street corners shall have a minimum turn radius of 25 feet.

(2) *For recreational vehicle parks and recreational vehicle cooperatives.* One parking space, as defined in this chapter, shall be provided for each recreational vehicle unit space, and shall not be located within any private drive or other access way. Said parking shall be paved with a durable, dust-free surface, and shall be located within either 50 feet of the recreational vehicle unit space being served, or within a common parking area located no more than 300 feet from the recreational vehicle. No parking space shall be located within the minimum street setback as specified herein. A minimum of one visitor parking space shall be provided for each five recreational vehicle spaces occupied by a permanently sited unit.

## § 154-173 Development Standards.

To meet the purpose of this district, all uses shall comply with the following minimum development standards:

(C) *Yards.*

(1) All buildings, including accessory structures shall be set back a minimum of 20 feet from any public or private street right-of-way line. A minimum setback of 20 feet shall also be provided from any side or rear property line shared with a residential zoning district, except landscaping for such required setback(s) may be reduced to five feet in width when the transitional property is developed with buildings and/or structures containing no more than 5,000 square feet gross enclosed floor area.

(2) Required yards fronting on a public or private street shall be landscaped as set forth in §§154-445 through 154-451 of this chapter and shall not be used for parking, loading, or product display.

## § 154-190 Development Standards.

In addition to the regulations and requirements contained in other sections of this chapter, the following minimum property development standards apply to all land and buildings in the Old Town (OT) District as may be designated on the official zoning map:

(G) *Landscaping and irrigation.*

(1) No landscaping or irrigation materials required by this subchapter shall be installed without a permit issued by the Zoning Administrator. All landscaping and irrigation design plans for property within the Old Town (OT) District shall be submitted for review and approved by the Zoning Administrator. The Historic District Review Commission shall hear all appeals of such decisions made by the Zoning Administrator for property in the Old Town (OT) District.

(2) Landscaping and irrigation shall be provided as follows:

(a) For all development, landscaping shall be provided as required in §§ 154-445 through 154-451 of this chapter.

(b) Street landscape setbacks adjacent to on-site required and provided parking shall include the following items:

1. A mixture of minimum size five-gallon shrubs and vegetative ground cover.

2. One minimum size 24-inch box tree at minimum 50 foot intervals.

3. A three-foot to four-foot high wrought iron fence, or fence of similar open design.

(c) Automatic irrigation system.

## § 154-202 Procedural Regulations.

The PSC Zoning District may be established and made a part of the zoning district maps pursuant to § 154-011 of this chapter prior to approval of a plan of development. However, before building permits can be issued, a plan of development shall be submitted and approved in accordance with the following procedure:

(A) The owners or their agents shall file with the Planning Director a plan of development to be approved by the City Council upon review and report by the Planning Commission. The plan of development shall include a site plan illustrating the proposed size and location of all buildings and structures, parking areas, landscaped areas and traffic circulation, street improvement, water, sewer and drainage plans, and a schedule of development. A market feasibility study, landscaping plans and architectural elevations may be required if necessary to insure that the purpose of the PSC Zoning District will be accomplished.

(C) The recommendations of the Planning Commission shall include the reasons for approval or disapproval of the plan of development, and if recommended for approval, evidence demonstrating the following specific purposes of the PSC Zoning District will be accomplished.

(3) There will be adequate landscaping or screening, architectural unity, sign control, and drainage facilities to preserve and protect surrounding residential areas and general community character;

## § 154-203 Property Development Standards.

The following minimum standards shall apply to all property developed within the PSC Zoning District:

(G) *Landscaping and screening.*

(1) Where the boundary of a planned shopping center abuts property or a public alley within a residential zoning district, a six-foot solid wall shall be provided. A four-foot solid wall shall be provided along all other boundaries of the shopping center site. The four-foot solid wall requirement may be waived if landscaping plans, which provide for the establishment and maintenance of a minimum ten-foot wide landscaped buffer area and which will effectively screen the shopping center buildings and parking areas from surrounding properties, are included in the approved plan of development.

## § 154-218 Development Standards.

To meet the purpose of this district, all uses shall comply with the following minimum development standards:

(C) Yards:

(2) A minimum landscaped building and parking setback of 20 feet shall be required from any side or rear property line shared with a residential zoning district, except such required setback(s) may be reduced to five feet in width when the commercial property is developed with buildings and/or structures containing no more than 5,000 square feet gross enclosed floor area.

(3) Any required yard fronting on a public or private street right-of-way shall be landscaped as set forth in §§ 154-445 through 154-451 of this chapter and shall not be used for parking, loading, maneuvering aisle, or product display.

## § 154-233 Development Standards.

To meet the purpose of this district, all uses shall comply with the following minimum development standards:

(C) Yards:

(2) A minimum landscaped building and parking setback of 20 feet shall be required from any side or rear property line shared with a residential zoning district, except such required setback(s) may be reduced to five feet in width when the

commercial property is developed with buildings and/or structures containing no more than 5,000 square feet gross floor area.

(3) Any required yard fronting on a public nor private street right-of-way shall be landscaped as set forth in §§ 154-445 through 154-451 of this chapter and shall not be used for parking, loading, maneuvering aisle, or product display.

## § 154-249 Development Standards.

To meet the purpose of this district, all uses shall comply with the following minimum development standards:

(D) *Setback building line.*

(4) *Landscaping.* Any required yard, and a minimum of five percent of off-street parking lots containing 20 or more spaces shall be landscaped as set forth in §§ 154-445 through 154-451 of this chapter.

(H) *Landscaping.* All landscaping shall be in accordance with §§ 154-445 through 154-451 of this chapter.

## § 154-264 Development Standards.

(B) *Landscaping.*

(1) All landscaped areas, whether required or provided voluntarily; shall meet the requirements stated in §§ 154-445 through 154-451 of this chapter.

(2) All landscape materials shall be allowed to grow to their natural height and shape appropriate for that plant.

(3) Automatic irrigation (maximizing drip irrigation) is required for all landscaped areas.

## § 154-273 Development Standards.

(A) *Setbacks*. The intent is to provide an attractive and dramatic setting for the display of vehicles. New vehicles displays are to be the focal point of the setback. Landscaping may be used to provide a setting of beauty and visual interest that would enhance the focal points.

(1) The landscape area may extend to and include portions of the public right-of way.

(4) Isolated new car vehicle display pads may be located within this 15 foot landscaped setback area, provided they will not conflict with sight visibility triangles.

Two-thirds of the landscaped area shall be reserved for landscaping. Up to one-third of the surface area within the setback may be used for the isolated/distinct vehicle display pads.

(5) The landscape emphasis should be on low-mounded turf with accents of ground covers, low shrubs, linear placement of palm trees and hard landscape features.

(B) *Rear Vehicle Storage Yards*. The following development standards apply to rear vehicle storage yards over one acre in size and located a minimum 300 feet from an arterial road upon which the business has frontage:

(2) Landscaping requirements may be reduced by fifty percent.

(B) *Rear Vehicle Storage Yards*. The following development standards apply to rear vehicle storage yards over one acre in size and located a minimum 300 feet from an arterial road upon which the business has frontage:

(1) An all-weather crushed gravel ground cover may be utilized in lieu of the general blacktop/asphalt code requirement for paving.

(2) Landscaping requirements may be reduced by fifty percent.

## § 154-277 Standards.

(H) *Off-street parking*. On-site parking shall be provided per the following:

All required parking spaces shall be paved. Pavers or turf-blocks may be used to allow for percolation of storm water runoff. The creation of on-site parking shall not reduce or eliminate the required front yard setback and required landscaping.

## § 154-305 Development Standards.

To meet the purpose of this district, all uses shall comply with the following minimum development standards:

(C) *Yards*. All buildings, including accessory structures, shall be set back a minimum of 20 feet from any property line shared with a residential zoning district. Required yard setbacks shall be landscaped as set forth in §§ 154-445 through 154-451 of this chapter and shall not be used for parking or loading.

(F) *Landscaping*. The provisions of §§ 154-445 through 154-451 of this chapter shall apply only to required yard setbacks adjacent to residential district, and to parking lots provided for use by the visiting public.

## § 154-318 Development Standards.

(B) *Building requirements.*

(2) All buildings shall be designed and constructed so that no odor, dust, noise, vibration, smoke, heat, glare, noxious gas, radio communication interference, radiation, or other emission shall occur outside the building.

## § 154-333 Development Standards.

To meet the purpose of this district, all uses shall comply with the following minimum development standards, and further provided, that no use or activity shall create noise, odor, dust, vibration, heat, smoke, glare, noxious gas, radio communication interference, or other emission beyond the property lines of the site.

(B) *Yards.*

(2) Required yards fronting on any public or private street shall be landscaped as set forth in §§ 154-445 through 154-451 of this chapter and shall not be used for parking, loading, or product display.

## § 154-348 Development Standards.

To meet the purpose of this district, all uses shall comply with the following minimum development standards:

(B) *Yards.*

(2) Required yards fronting on any public or private street shall be landscaped as set forth in §§ 154-445 through 154-451 of this chapter and shall not be used for parking, loading, or product display.

## § 154-389 Development Standards.

(E) *Walls and fences:* Any wall or fence as may be erected along any street line, side property line, or rear property line, whether to meet the requirements of the chapter or provided voluntarily, shall comply with the minimum requirements for unobstructed traffic visibility as specified in § 154-006(D) of this chapter. Walls and fences in the front yard setback area shall be constructed so that they can be seen through or over so as to comply with the Crime Prevention Through Environmental Design (CPTED) principles of surveillance.

(F) *Landscaping and irrigation:* Landscaping and irrigation shall be according to §§ 154-445 through 154-451 of this chapter. Additionally, a 30 foot buffer area surrounding any new construction site shall be maintained during entire construction period, within which no building materials may be stored, and which shall be clear of vegetation, debris and other combustible materials.

(J) *Lot coverage:* None, however all public and private development of lands located within the RO Zoning District must provide adequate site improvements including, but not necessarily limited to, parking, landscaping and the on-site retention of storm water.

## § 154-397 Parking Lots.

(A) *Design standards.*

(3) The scale of the site plan shall contain not more than 50 feet to the inch. The site plan shall be drawn according to the following requirements and shall show these items detailed herein:

(h) Landscaping, walls, lighting and irrigation system.

(6) Landscaping and irrigation: Landscaping and irrigation shall be provided in the manner set forth in §§ 154-445 through 154-451 of this chapter except that when required to comply with development standards following the loss of a nonconforming status or change of use a landowner or tenant shall not be required to reduce the parking area by more than 10% or reduce the parking area to a size which would not satisfy the minimum parking requirements for any lawful use of such lot, parcel, or land.

(B) *Landscaping.*

(1) *Interior.* A minimum of five percent of the off-street parking lot containing 20 or more spaces shall be landscaped.

(2) *Peripheral planting.* On the exterior edge of a parking lot containing 20 or more spaces, a planting strip not less than three feet in width shall be provided parallel to the front and side yard right-of-way lines. The visibility triangle requirements of shall be complied with on all parking lots including driveways.

(C) *Improvement of parking lots (four or more required spaces).* All parking lots shall be improved as follows:

(2) Surfaced with a hard-faced material.

(5) A barrier shall be constructed between all parking lots and adjacent residential uses or districts so that the adjacent residents are not unreasonably disturbed, either by day or night, by the operation of vehicles. These barriers shall be required along any property line or required setback line for that portion of the lot which adjoins or lies across the street, alley or other public way from the said residential area, except for necessary driveways. The barrier shall be a solid wall or fence, or permanently maintained dense vegetation, and shall be three feet in height within the front yard area and not less than four feet in height within the said side and rear yard area. In all cases, the visibility triangle and fence requirements of this code shall be applicable.

(6) Landscaping and irrigation: Landscaping and irrigation shall be provided in the manner set forth in §§ 154-445 through 154-451 of this chapter except that when required to comply with development standards following the loss of a nonconforming status or change of use a landowner or tenant shall not be required to reduce the parking area by more than 10% or reduce the parking area to a size which would not satisfy the minimum parking requirements for any lawful use of such lot, parcel, or land.

(D) *Vehicular access required.*

(1) Each required off-street parking space shall open directly upon an aisle of such width and design as to provide safe and efficient means of vehicular access to said space. Each parking lot shall be designed with appropriate means of vehicular access to an improved public or private street on which the lot or building site has frontage. If a secondary means of permanent vehicular access is provided, such as a paved alley or service road, such means of access shall be improved to city standards.

(3) Along any highway, major or minor arterial street, each building or group of buildings, together with its parking or service areas, shall be physically separated by a vertical curb, maintained planting strip, or other suitable barrier to channel and direct vehicular ingress and egress, except for necessary accessways.

## § 154-437 General Development Standards.

(I) The owner of any personal wireless communication facility must provide the city with a copy of the notice to the FCC of intent to cease operations. Any personal wireless communication facilities and all associated materials not in use for one year must be removed by the owner and the site must be returned to a state compatible with the surrounding vegetation and/or structure at the owners expense.

(M) Legal nonconforming personal wireless communications facilities established prior to §§ 154- 435 through 154-444 may continue operation. However, no expansion of the use is allowed until those facilities are brought into compliance with this section. Any personal wireless communication facilities and all associated materials not in use for one year must be removed by the owner and the site must be returned to a state compatible with the surrounding vegetation and/or structure at the owners expense. A change in the principal use of the parcel will require the personal wireless communications facility to be brought into compliance with this section.

## § 154-443 Personal Wireless Communication Facilities on Public Rights-of-Way and Public Buildings.

(A) In addition to the above standards for wall-mounted, roof-mounted, and concealed/disguised antennas, these personal wireless communications facilities have the following additional standards:

(6) All base stations must comply with the minimum setbacks for the zoning district. If an antenna is located on the right-of-way, any associated base station location must either receive the approval of the City Engineer stating that the base station will not constitute a hazard or comply with the setback of the zoning district and be placed on private property. All base stations must meet the screening and landscaping requirements.

# Landscaping

## § 154-445 Purpose.

(A) The purpose of the landscaping regulations is to provide minimum standards for the selection, location, and maintenance of plant materials in order to maximize the benefit of such landscaping for both the community and the individual property owner. It is intended that the provision of ground cover, shrubbery, and trees shall be in accordance with this subchapter so as to:

(1) Provide soil stabilization to control erosion;

(2) Provide shade to reduce the ground temperature and building heat gain;

(3) Provide ground cover to protect the ambient air quality by reducing dust and loose soil;

(4) Provide plant material to visually buffer building and parking lot masses;

(5) Provide planted screening between residential districts and adjacent uses;

(6) Provide landscape plans to improve surveillance and visibility for the promotion of safety and CPTED (Crime Prevention Through Environmental Design) strategies;

(7) Provide shrubs, vines, and planted areas adjacent to walls to reduce the potential for graffiti through anti-graffiti strategies;

(8) Provide attractive landscaping to improve community aesthetics for the promotion of tourism and economic development; and

(9) Provide compliance with the landscaping regulations over time as vacancies and changes occur with nonconforming land, buildings, and uses.

(B) When provided in accordance with these regulations, landscaping materials are intended to contribute to the community-wide goals of beautification, energy conservation, and the conservation of the community's water resources through the use of drought tolerant plants, efficient irrigation, reduced turf areas, and proper maintenance, and the fundamentals of xeriscape landscaping.

(C) The regulations as set forth within this subchapter shall be in accordance with Chapter 192 of this code and are intended to be integrated with that chapter so as to provide adequate on-site storm water detention/retention areas which are visually attractive and which provide for the multiple use of storm water detention/retention areas wherever possible.

## § 154-446 Applicability.

Required landscaping shall apply as follows:

(A) *Applicability in zoning districts.* The regulations as set forth in this subchapter shall apply to all lots in all zoning districts. Lots used exclusively for one-family dwelling units, when not otherwise required as a part of an approval process to provide landscaping, shall be exempt from the requirements of this subchapter.

(B) *Change of use.*

(1) When the use of a lot, parcel, land, building, or structure changes, or after two years of vacancy, or upon expansion of any building, parcel, structure, or use by an area or value of 50% or more, the development standards as set forth in this subchapter shall apply.

(2) If the gross floor area of an existing building is increased by 50% or more cumulative after the effective date of this amendment, the requirements of this subchapter shall apply to the entire lot upon which the building is located.

(3) If the land use of 50% or more of the gross floor area on a lot is changed cumulative after the effective date of this amendment, the requirements of this subchapter shall apply to the entire lot upon which the building is located.

(C) *City of Yuma landscaping guidelines.* The City of Yuma landscaping guidelines shall be used in conjunction with this subchapter to provide guidance for both the commercial landscaping firm and the private property owner.

(D) *Conflicts with other regulations.*

(1) Where portions of this subchapter are in conflict with other portions of the zoning code, the more restrictive regulation shall apply.

(2) Where portions of this subchapter are in conflict with federal or state-mandated requirements for airports (FAA and/or military requirements for planting height limits and plant debris), or for the public utility companies as defined in this subchapter, the Planning Director may waive portions of the landscaping regulations to the extent of the conflict.

(E) *Parking lots.* The requirements for landscaping and irrigation within a parking lot (four or more spaces) as found in §§ 154-395 through 154-403 of this chapter shall be provided in the manner set forth in this subchapter except that when required to comply with development standards following the loss of a nonconforming status or change of use a landowner or tenant shall not be required to reduce the parking area by more than 10% or reduce the parking area to a size which would not satisfy the minimum parking requirements for any lawful use of such lot, parcel, or land..

(F) *Uses prohibited; alleys.*

(1) Parking, loading activities, product display, and sales shall not be permitted in any required landscaped area.

(G) *De minimus standards.* In cases where site development occupies five percent or less net site area, the landscape development standards of this subchapter shall apply only to the developed area of the site.

## § 154-447 General Requirements.

(A) *Building permit application.*

(1) One copy of the landscaping plan shall be submitted to the Department of Community Development at the time of building permit application or zoning clearance (if applicable pursuant to this subchapter). This plan shall be on file in the Development Services Division for 90 days after the certificate of occupancy is issued and with the Planning and Neighborhood Services Division thereafter.

(2) All landscaped areas maintained by the city shall be designed and installed to the approval of the City Parks and Recreation Department and Public Works Department. All irrigation systems shall be subject to the Uniform Building Code requirements of the city and shall be installed only as approved by permits issued by the City Development Services Division.

(B) *Encroachment permits required.* Those projects which include use of the public right-of-way for landscaping shall include a request for an encroachment permit with an additional three copies of the landscaping plan following building permit approval. If approved, the encroachment permit shall be issued by the City Engineer concurrently with building permit issuance by the Development Services Division.

(C) *"Assurance of installation".* Landscaping and irrigation systems shall be installed as approved on the submitted plans prior to issuance of a certificate of occupancy. An "Assurance of installation" in a form approved by the city and executed by the lot owner and the financial institution for an amount sufficient to guarantee the installation of the approved landscaping plans within six months of occupancy shall be accepted by the Planning Director in lieu of immediate installation of the landscaping.

(D) *Maintenance required.* Property owners are responsible for the perpetual maintenance of all landscaped areas on their lot and adjoining parkways. The owners of lots which do not have properly maintained landscaped areas will be subject to penalties as set forth in this chapter.

## § 154-448 Development Standards.

(A) *Numbers and coverage of plant materials; irrigation.*

(1) All landscaped areas shall be composed of a combination of plant materials and nonvegetative ground cover designed to accomplish the goals stated in the purpose of this subchapter and to the minimum standards as set forth below.

(2) All landscaped areas shall include a permanent, water efficient, underground, irrigation system controlled by automatic valves. Ground cover may be a combination of vegetative and nonvegetative material.

(3) Landscaped areas may also be used for storm water detention/retention basins, provided that no graded slope is located closer than four feet to any public or private sidewalk and that no graded area exceeds a 4:1 slope within any street parkway or setback. The total amount of required landscaping shall be computed for each component area as follows (except as otherwise approved):

(a) Street parkways and setbacks (including reverse frontage backup-subdivision landscaping):

1. Trees:

a. Minimum number: 1 per 500 sq. ft.

b. Minimum size: 50% 15 gallon; 50% 24 inch box.

2. Shrubs:

a. Minimum number: 1 per 250 sq. ft., and 1 per 8 feet (on center of solid perimeter screening or subdivision wall).

b. Minimum size: 50% 5 gallon; 50% 1 gallon.

3. Ground cover:

a. Minimum area: 50% vegetative; 50% nonvegetative. 50% vegetative may be reduced to 30% vegetative provided the 30% vegetative consists of turf.

b. Minimum size: 1 gallon (36 inches on center), or flats (12 inches on center).

(b) Required screening setbacks between districts:

1. Trees:

a. Minimum number: 1 per 25 feet (on center) of solid perimeter screening or subdivision wall.

b. Minimum size: 24 inch box (nondeciduous).

2. Shrubs:

a. Minimum number: 1 per 8 feet (on center) of solid perimeter screening or subdivision wall.

b. Minimum size: 5 gallon.

3. Ground cover. Minimum area: 100% nonvegetative.

4. Required screening setbacks between residential districts and adjacent uses shall provide sufficient screening so that the residential uses are effectively shielded from any adverse effects of the adjacent uses. The screening shall be composed of plant material as noted above and a six-foot high solid masonry wall.

5. A screen row of 15 gallon trees (nondeciduous), planted 25 feet on center (or major fraction thereof), shall be provided along any rear lot line for a lot on which a residential structure greater than one-story in height is located with a rear lot line adjacent to any other residential structure.

(c) Publicly or privately-owned joint use detention/retention basin/park:

1. Trees:

a. Minimum number: 1 per 1,500 square feet.

b. Minimum size: 24 inch box.

2. Shrubs:

a. Minimum number: 1 per 8 feet (on center) of solid perimeter screening or subdivision wall; and 1 per 250 square feet of nonvegetative ground cover areas.

b. Minimum size: 5 gallon on walls; 50% 5 gallon (other than walls); 50% 1 gallon (other than walls).

3. Ground cover:

a. Minimum area: 100% of areas containing less than 4:1 slope in turf, but not less than 20% of the gross site area; 100% of remaining area in nonvegetative ground cover.

(d) Publicly or private-owned detention/retention basin (not used as a part of a required street setback or as a park):

1. Trees:

a. Minimum number: 1 per 2,000 square feet (trees may be deleted from minor basins containing less than 4,000 square feet in area or less than 18 inches in depth and from basins in remote fenced locations with no public access).

b. Minimum size: 15 gallon.

2. Shrubs:

a. Minimum number: 1 per 8 feet (on center) of solid perimeter screening or subdivision wall (shrubs may be deleted from basins in remote fenced locations with no public access).

b. Minimum size: 5 gallons.

3. Ground cover. Minimum area: 100% nonvegetative.

(e) Landscape within parking areas (interior and peripheral):

1. Trees:

a. Minimum number: 1 per 15 parking spaces (or major fraction thereof), evenly distributed in tree well planters of a minimum 25 square foot (25 s.f.) area.

b. Minimum size: 24 inch box canopy tree.

2. Shrubs:

a. Minimum number: 1 per 8 feet (on center) of solid perimeter screening or subdivision wall.

b. Minimum size: 5 gallons.

3. Ground cover:

a. Minimum area: 20% vegetative; 80% nonvegetative.

b. Minimum size: 1 gallon (36 inches on center), or flats (12 inches on center).

(f) All other open areas (not used for building, paving, sidewalks, or future building expansion):

1. Trees:

a. Minimum number: 1 per 1,500 square feet.

b. Minimum size: 15 gallons.

2. Shrubs:

a. Minimum number: 1 per 750 square feet.

b. Minimum size: 5 gallons.

3. Ground cover:

a. Minimum area: 20% vegetative, 80% nonvegetative.

b. Minimum size: 1 gallon (36 inches on center), or flats (12 inches on center).

(g) Future building pads in development projects within the Transitional (TR) Limited Commercial (B-1), and General Commercial (B-2) Districts. Ground cover: minimum area, 100% vegetative, nonvegetative, or combination thereof.

(B) *Plant specifications.* The minimum size, number, type, and area for all required plant material shall be as noted above. All trees which are listed in the Arizona Nursery Association Guide and whose size is specified by caliper size shall be provided according to that publication's specifications. Trees may be clustered, however no tree should be located within 20 feet of another tree. All trees shall be staked with two lodgepole stakes seven feet in height above grade with wire ties protected with rubber fittings. All shrubs (vines) planted along solid walls shall be staked to promote a vertical growth pattern. Staking details shall be shown on the plans submitted for approval.

(C) *Calculation of areas and distribution of plant materials.* The calculation and distribution of landscaping shall be done in the following manner:

(1) The combined area of the parkways and setbacks on each street frontage shall be calculated as one unit. The area to be landscaped shall be calculated as follows:

Parkway + Setback - Driveways and Sidewalks = Landscaped Area Per Frontage

(2) The plant materials may be distributed anywhere within the landscaped area for each street setback frontage but each parkway shall contain no less than ten percent of the landscape material which would have been normally required in the parkway. The calculation of setback areas for corner lots may separate adjoining setbacks on adjacent streets on an equal basis.

(3) The calculation of plant material for retention basins shall be made separately unless the retention basin is within the setback.

(D) *Lots which have an area greater than two acres.* Lots which have an area greater than two acres shall provide a total landscaped area of 15% of the lot size. If the area of the required landscaping (including setbacks, parkways, and retention basins) does not exceed 15% of the gross lot area, additional landscaping shall be placed on the lot to meet the minimum landscaped area of 15%. The total amount of trees, shrubs, and ground cover for these landscaped areas shall be computed at the ratio noted above and shall be maintained in accordance with this subchapter. All other standards contained in this subchapter shall be maintained.

*Industrial zoned (L-I and L-H) lots which have an area greater than two acres.* Industrial zoned properties (L-I and H-I) over two acres in size may elect to submit landscaping plans to the Landscape Review Board (per § 154-450) in lieu of meeting the requirement to provide a total landscaped area of 15% of the lot size.

The Review Board is authorized to approve landscaping plans that provide less than 15% of the lot size for industrial zoned property provided such plans meet the spirit and intent of the landscaping code.

Such landscaping proposals submitted to the Review Board for this purpose shall focus landscaping requirements on the property's street frontages, parkways, setback areas and retention basins within those setback areas, parking areas and the principal structure.

(E) *Retention basins; fences and grading.*

(1) Retention basins shall be designed, graded, and landscaped so as to aesthetically enhance the natural configuration of the area. Plantings located in the basin shall be adaptable to periods of submersion. Retention basins shall be shaped consistent with good landscape design standards as well as meeting storm water retention requirements (Ch. 192). Retention basins shall be de signed in order to facilitate multiple use of the basin whenever possible.

(2) Graded slopes shall be designed to provide gentle, undulating contours (contour grading) and shall maintain an average 5:1 slope, not to exceed a slope of 4:1 when used as a joint-use park facility. In all other cases, where a basin is not used as a joint use park facility, graded slopes shall maintain an average 4:1 slope, not to exceed a slope of 3:1.

(3) Gunite, or concrete ground cover within storm water detention/retention basins shall be prohibited. In all cases, the design bottom elevation of the storm water basin shall be a minimum of one-foot above the highest recorded ground water level.

(4) Six-foot-high wrought iron fences (designed to discourage climbing), or equivalent as approved by the Zoning Administrator, shall be installed around storm water retention basins which have a designed water depth greater than three and one-half (3.5) feet, and shall allow the basin to be visible at all times. Openings in the fence shall not allow the passage of a six-inch sphere. Any pedestrian gates shall be of a self-closing and self-latching type. In all cases, the requirements for the visibility triangle shall be applicable.

(F) *Visibility triangles.* The only landscaping materials permitted in any visibility triangle shall be ground cover (less than 18 inches in height). The area included in the visibility triangle shall be excluded from the tree and shrub count for that parkway or setback.

(G) *Arizona Department of Transportation (ADOT) right-of-way.* Parkways within the Arizona Department of Transportation (ADOT) rights-of-way shall be landscaped with trees, shrubs, and ground cover in conformance with the Arizona Department of Transportation regulations.

(H) *Public utilities and fire facilities.*

(1) A minimum three-foot-wide clear space shall be maintained around the circumference of fire hydrants and Fire Department Connections (FDC). Ground cover materials used within this three-foot wide area shall be approved by the City of Yuma Fire Marshal.

(2) Trees shall not be planted directly under or over utility lines nor shall they be planted within utility easements. Trees which have a mature height of 25 feet or greater shall not be planted near overhead utility lines.

(3) A ten-foot clearance shall be maintained in front of the facilities and appurtenances of any public utility and a three-foot clear space shall be maintained around the circumference of any such facility or appurtenance. Ground cover materials used within this area shall be approved by the appropriate public utility.

(I) *Prohibited plants.*

(1) The use of the following plant types is prohibited due to their pollen seeds which aggravate allergies and other health problems:

(a) Common Bermuda grass (Cynodon dactylon).

(b) Mulberry, female (Morus).

(c) Olive (Olea europaea) except the male or fruitless varieties.

(J) *Protection of planted areas.* Turf areas shall be separated from other planting areas by a minimum four inch by four inch concrete mow strip. Planted areas shall be separated from any adjacent paved or unpaved vehicular parking or drive area by concrete curbing measuring at least six inches by six inches above grade. Any plant material with a mature height of 18 inches or greater shall be setback at least two feet from any adjacent parking, aisle, or driveway.

## § 154-450 VARIANCES.

(B) Landscape plans which have been submitted, but fail to meet with the letter of this subchapter, may be submitted to the Landscape Review Board. The Landscape Review Board shall be composed of the Planning Director, Senior Current Planner, and the Parks Superintendent. The Landscape Review Board may not reduce the amount of plant materials required, but may review such issues as the location and type of plant materials.

(C) The Landscape Review Committee may also review the specific requirements for nonconforming projects which, due to their existing development patterns, cannot meet all aspects of the current landscape development standards. In such cases the Landscape Review Board shall be empowered to determine a level of landscape development within the spirit and intent of the current landscape regulations, recognizing existing nonconforming development of the site.

## § 154-463 Application.

Applications for a PUD shall be submitted and reviewed in accordance with the following procedure:

(B) *Preliminary plan.* The following minimum information is required in addition to requirements of §§ 153-30 through 153-34 of the subdivision regulations:

(8) A schematic landscape plan indicating the treatment of private and common open spaces.

City of Yuma
Department of Public Works

Yuma, Arizona

# STREET SWEEPING PLAN

# OVERVIEW

Street sweeping is one of the most visible aspects for the citizens and the traveling public. Clean streets and gutters not only give the City of Yuma an overall clean appearance, but aids in helping reduce traffic accidents, as well as air pollution caused by fine dust particles and sand from wind storms. Keeping debris off the street and out of the gutters prevents the debris from entering the storm water system. This should prevent the introduction of key pollutants to surface water. Along with all street maintenance functions, street sweeping is an important part of the Public Works Department.

There are five budgeted full-time team members in the street sweeping operation. The operation is funded through Highway User Revenue Fund (HURF). This funding is to be used for street and highway purposes. The team is responsible for sweeping over 292 miles, or 584 curb miles and routine service maintenance that is done on a daily basis.

Street sweeping is an intense maintenance schedule. It demands a list of priorities, from commercial to residential. The analysis of street sweeping contained in this plan is based on the most cost effective and efficient delivery of service. The plan addresses other factors in which the Street Division deems necessary, such as the level of service, which would be acceptable for year round sweeping.

# Street Sweeping Team

The Streets Division has five budgeted full-time members in the street sweeping program and five sweepers. All five sweepers are mechanical broom type, which is the best suitable for the City's, desert area.

Primary street sweeping team are Heavy Equipment operators:

| | Radio | |
|---|---|---|
| Bertin Lewis | 53 | Crew Leader |
| Ed Diaz | 517 | Heavy Equipment Operator |
| George Drake | 518 | Heavy Equipment Operator |
| Joe Rojas | 512 | Heavy Equipment Operator |
| Bobby Zermeno | 520 | Heavy Equipment Operator |
| Pete Pottorff | 527 | Heavy Equipment Operator |

# OBJECTIVES

One of the primary objectives of the City of Yuma, Department of Public Works, Street Division is to provide an operational plan for the safe, efficient and cost effective approach towards street sweeping.

The street Sweeping plan was developed to facilitate this objective as it relates to the vehicle traffic and citizens throughout the city. This objective provides for dust control, as well as, an attractive city. In addition there is a cleaner flowing drainage system.

The procedures presented in this plan serve to outline the manner in which the Sweeping Team performs sweeping on a daily basis. This objective is accomplished using preventative maintenance schedules.

**SECTION I**

# *POLICIES AND ORDINANCES*

- SWEEPING POLICY
- PARKING AND DISABLED VEHICLE POLICY
- PARKING ORDINANCE

# POLICY

It is the policy of the Sweeping Team to have a plan in writing for sweeping every street infrastructure of the City of Yuma.

The street sweeping policy shall be:

Priority I — Main arterials and selected collectors are swept a minimum of once a week (46-52 times per year).

Priority II — Residential streets are swept a minimum of five times per year (every 2½ months).

Priority III — Weekly, the teams sweep streets surrounding schools, churches and CITY parks.

Priority IV — The Public Works shop and parking lots will be swept bi-monthly (per works order requested).

Priority V — Street sweeping debris recycling shall be performed monthly on a rotating basis between the sweeper team unless a sweeper is in the shop for scheduled maintenance or mechanical failure. The operator shall screen the debris during the down time.

* Note: — In the event the operator's machine is down due to mechanical failure and the spare sweeper is occupied, that operator shall report to his Street maintenance Crew Leader for further duties.

Special — A special is anytime the sweeper stops routine sweeping to take care of an out of division request. A one-hour minimum charge is added to any **special** and shall reflect current divisional rates.

Conditions

- All team members have two-way radios in their sweepers so they can be reached at all times for emergencies and special requests.
- Weather conditions can have a major impact on the sweeping plan and affect our Divisions priorities. Therefore, all sweeping and screening listed above shall be the minimum; additional sweeping and screening may be required.
- It is not the responsibility of the sweeper team to clean up after contractors, landscapers, etc. During all phases of construction it is the CITY inspectors' responsibility to ensure that the contractor keeps streets and gutters clean and safe. If the request of a sweeper is required then it shall be considered a special.

# PARKING AND DISABLED VEHICLE POLICY

The Street Division Sweeping Team will report cars, trucks, trailers and boats left parked or abandoned in the public street for longer than 48 hours*. All calls shall be reported to City of Yuma Code Enforcers and or the Yuma Police Department.

It is not our intent to anger the public by notifying the proper personnel of these vehicles, but rather getting these vehicles moved off the street for maintenance reasons. At times, the sweeping team has found many vehicles, campers, etc. parked or abandoned for such long periods of time that allow dirt and debris built up causing storm water to back into the street.

***Reference Yuma City Code chapter 212, 21-29.**

# SECTION II

# *OPERATIONS*

1. ID Routes
2. Hours of Operations
3. Equipment Utilized
4. Commercial Routes
5. Residential Routes
6. Street Sweeping Request
7. Special Events
8. Storm Street Sweeping
9. Screening
10. Maintenance

# ID ROUTES

| | |
|---|---|
| Route I: Ed Diaz | Ave B to Ave 3E<br>24th St to Airport Lp |
| Route II: Joe Rojas | Ave 9E to Ave B<br>County 14th St to 24th St |
| Route III: Bobby Zermeno | 12th St to Water Street<br>Pacific Ave to Ave B |
| Route IV: George Drake | Ave B to Ave D<br>Central Canal to 1st St |
| Route V: Pete Pottorff | Ave 3E to Ave 10E<br>Hwy 95 to 40th St |

# HOURS OF OPERATIONS

4am to 12:30pm

4:00 am to 8:00 am: Pretrip/Commercial routes
8:00 am to 8:30 am: Vehicle inspection
8:30 am to 9:00 am: Lunch
9:00 am to 12:00 pm: Residential routes
12:00 pm to 12:30 pm: Vehicle inspection

# EQUIPMENT UTILIZATION

The City of Yuma uses six (6) mechanical high dump sweepers and one (1) Read CV 40 D Screen-All. A combination of quality sweeper operators and quality equipment enables us to perform the job of street sweeping very efficient and cost effective. The purpose for using high dump sweepers is to save road time driving back and forth to a dumpsite. With high dump the sweepers can utilize chase dump trucks when needed. Allowing more time spent for street sweepers to concentrate on cleaning and less time driving to dump site.

The sixth sweeper is a spare, utilized when one of the other five are in the shop for service or repair. It will also be used by properly trained personnel for street maintenance activities such as, fog seal, slurry seal, etc. This will allow the sweeper operator to spend more time on their routes.

# COMMERCIAL ROUTES

The street division objective is to sweep main arterial and selected collectors 46-52 times per year (four times a month). The downtown area is swept once a week. Commercial routes are determined by the judgment of the operator's knowledge of their routes and not strictly on road dimensions. The sweeper operators consider medium to high volume traffic on main arteries and selected collectors as commercial, which is swept weekly.

# RESIDENTIAL ROUTES

Residential routes are swept a minimum of five (5) times per year or approximately fifty (50) working days. The subdivisions on every route is identified and numbered. Each subdivision is maintained in a sequence order. See Map

# STREET SWEEPING REQUESTS

Street sweeper team members spend a portion of their time responding to special requests, such as work order requests, emergency spill clean-ups, water breaks, etc. All sweeping request shall be considered a special and reflect the current rate charges for equipment and man-hours.

# SPECIAL EVENTS

The City of Yuma Street Sweeping Team takes tremendous pride sweeping parade routes and side streets prior to and after parades. All five street sweepers working together make for the final non-official entry in the parade as the community gets to see the team in action. Three to four passes is needed to clean the streets free of debris. This includes pre-staged areas and parking lots.

# SCREENING

Our current operation is located east of the Black hill area. Sweeper debris is stockpiled in a fenced facility within the City of Yuma. It is there that the debris is screened from the dirt, and then hauled to the CITY's designated landfill. This operation includes the use of a front-end loader, the screener and a container. Approximately 1% of the street sweeping budget is dedicated to hauling and deposing of the debris to the landfill. The screening duties are on a rotating basis between the team members. It is the responsibility of the assigned operator to ensure completion of screening for the month. The sweepers utilize other operators in the event of a breakdown, the sweeper operator automatically screens.

Ed Diaz: August, December, and April

Bobby Zermeno: September, January

Joe Rojas: October, February, and June

George Drake: November, March

Pete Potorff May, July

# STORM STREET SWEEPING

Prior to the forecast of rainstorms of 1 inch or more, the street sweepers will sweep selected main arterials and collector roadways. The intensions are to keep roadway debris from entering the storm water collection system. After storms team members concentrate on sweeping the commercial routes. The team members, weather permitting, start sweeping immediately. The street division's objective is to have all sand areas swept within two weeks after a major sand storm. This policy will cut down on air pollution (dust caused by sand) and also **may** prevent accidents caused from vehicles

sliding at intersections because of the high volume sand. After a sand storm, priority sweeping is performed on main arterial and collectors first, and around school areas second. The residential routes will be sweep on their regular routine.

# MAINTENANCE

Daily sweeper maintenance is preferred after commercial routes and prior to sweeping residential areas to ensure that the equipment is operating at its optimum level. The equipment operators shall maintain a minimum fuel and water level at ½ a tank.

## Scheduled maintenance

| | |
|---|---|
| Pretrip | Every morning of operation |
| Right Gutter Brooms | Replace every other wee |
| Left gutter brooms | Replace every third week |
| Main pick broom | Replace every month |
| Deflector seal | Replace when needed |
| Drape | Replace when needed |
| Clean hopper | Weekly |
| Clean elevator | Wash weekly |

## Daily maintenance

Check elevator
Drag seals are replace everyday or when necessary
Clean/remove debris from broom and elevator
AC filter- clean or replace
Lube the drive chains
Engine air filter precleaner is cleaned daily
Adjustments to:
The elevator and drive chain
Main broom and drive chain
Gutter brooms
Deflector
Grease fittings

Clean and wash machine
Inspect vehicle
Fuel tank

# Cross Training

It is recommended that all equipment operators are properly cross-trained. Cross training personnel will be dependent on current workload status and shall be scheduled by the supervisor. The assigned spare sweeper shall be 43401076.

Suggested amount of time: 1-week minimum
2 weeks maximum

In the event that other trained operators utilize a sweeper, a short description of the time, date, operator name and or any useful remarks is necessary to maintain equipment operation.

# Recommendations

The following are suggested recommendations to the division's immediate supervisors:

1. When a sweeper machine is placed into the maintenance shop, a turnaround time is provided to the operator.
2. Alternate screening location is needed in the southeast section of the CITY.
3. Resume shop services and repairs during night shift.

| City of Yuma | | |
|---|---|---|
| | Initial Program[1] | 2005 |
| Number of Street Sweepers | 6 | |
| Type of Equipment | Freightliner/Broom Bear | |
| Financing | HURF funds | |
| | | |
| Personnel | 6 including Crew Leader | |
| Miles Swept | Avg. 17128 miles/year | |
| Frequency per calendar week (hours per week) | Avg. 142 sweeping Hrs./week | |
| Can you provide ADEQ with a copy of the ordinance or policy and procedure for street sweeping via e-mail or fax at martin.marvin@azdeq.gov or (602) 771-2366. | | |

1

# YUMA COUNTY BOARD OF SUPERVISORS

## ORDINANCE NO. 05 -01

**AN ORDINANCE OF THE COUNTY OF YUMA REQUIRING A PROJECT INFORMATION SIGN FOR CONSTRUCTION ACTIVITIES**

**WHEREAS,** Yuma County is interested in cooperating with the Arizona Department of Environmental Quality to implement recommendations in the Natural Events Action Plan for the Yuma PM10 Non-Attainment Area.

**WHEREAS,** The Natural Events Action Plan for the Yuma PM10 Non-Attainment Area was developed by the Arizona Department of Environmental Quality, and recommends that Yuma County consider implementing a Project Information Sign for construction activities.

**WHEREAS,** ARS § 11-251.05 states that the Board of Supervisors may adopt ordinances necessary or proper to carry out the duties, responsibilities and functions of the county.

**NOW, THEREFORE, BE IT ORDAINED** by the Yuma County Board of Supervisors that this ordinance is adopted to provide regulations requiring the implementation of a Project Information Sign for construction activities throughout the Non-Attainment Area of Yuma County, to be effective at 12:01 am on September 12, 2005.

Adopted this 1st day of August, 2005

Greg Ferguson, Vice-Chairman for
Kathryn "Casey" Prochaska, Chairman
Board of Supervisors
Yuma County, State of Arizona

ATTEST:

Sue Stallworth
Clerk of the Board

APPROVED AS TO FORM AND DETERMINED TO BE WITHIN THE SCOPE OF PERFORMANCE OF DUTY OF THE YUMA COUNTY BOARD OF SUPERVISORS

Edward P. Feheley
Deputy County Attorney

P:\Ordinances\Ordinances\Sign Ordinance\Yuma County Sign Ordinance final revision (1Aug 2005).doc

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# CHAPTER 1 GENERAL

## § 05-01-1001 INTRODUCTION

The Natural Events Action Plan for the Yuma PM10 Non-Attainment Area was written by the Arizona Department of Environmental Quality with the assistance of citizen stakeholders from throughout the Yuma county area. Generation of dust from anthropogenic sources can cause a variety of air pollution problems. A portion of Yuma County has been designated by the federal government as a non-attainment area for dust due to the generation of particulate matter under 10 microns in size, or PM10. PM10 affects the safety, health and welfare of citizens of Yuma County and creates an adverse environmental effect. Construction activities contribute to particulate emissions, therefore one option under consideration is to require a project information sign for certain size construction projects.

## § 05-01-1002 PURPOSE

The purpose of this ordinance is to establish minimum requirements for implementation of a Project Information Sign for construction activities within the Yuma Non-Attainment Area.

## CHAPTER 2 DEFINITIONS

### § 05-01-2001 DEFINITIONS

For the purpose of this ordinance, the following definitions are applicable:

"BEGIN ACTUAL CONSTRUCTION" means initiation of physical on-site construction activities on an emissions unit that are of a permanent nature. For purposes of title I, parts C and D and section 112 of the Clean Air Act, these activities include installation of building supports and foundations, laying of underground pipe work and construction of permanent storage structures. For purposes other than title I, parts C and D and section 112 of the Clean Air Act, these activities do not include installation of building supports and foundations, laying of underground pipe work and construction of permanent storage structures.

"BUILDING PERMIT" means an official document or certificate issued by the County of Yuma, which authorizes the performance of a specific construction work, grading, alteration of ground features to create certain improvements and structures.

"CONSTRUCTION" means any physical change in a source or change in a method of operation of a source including fabrication, erection, installation or demolition or a source that would result in a change in actual emissions.

"EARTH-MOVING OPERATIONS" are the use of any equipment for an activity where soil is being moved, uncovered.

"FINAL STABILIZATION" means that all soil disturbing activities at the site have been completed.

"GRADING PERMIT" is an official document or certificate issued by the Flood Control Engineer, authorizing grading activity as specified by approved plans and specifications.

"PERSON" includes any public or private corporation, company, partnership, firm, association or society of persons, the federal government and any of its departments or agencies, the state and any of its agencies, departments or political subdivisions, as well as a natural person.

## CHAPTER 3 STANDARDS

### § 05-01-3001 PROJECT INFORMATION SIGN REQUIREMENTS

A. Any person that requires a building or grading permit of one acre or greater shall install and maintain a project information sign in accordance with the below requirements.

B. The sign shall be installed prior to beginning actual construction activities and initiating any type of earth-moving operations.

C. The sign shall be installed at a prominent location near the main entrance of the construction site. Traffic visibility shall be maintained by placing the sign back from the main ingress/egress location and at any applicable intersection for proper sight-triangle clearances.

D. The sign may be removed once:

1. The final for the building permit is approved by the Chief Building Official, or,
2. Final stabilization has been achieved on all portions or the site for which the person is responsible and is approved by the County Environmental Programs Section.

E. The following information shall be displayed on the project information sign:

| Project Size | 1.01-9.99 Acres | Over 10 Acres |
|---|---|---|
| Sign Size | 36"H x 48" W | 48"H x 96" W |
| Developer's Name | 3" | 4" |
| Project Name | 3" | 4" |
| Company Phone Number ###-#### | 3" | 4" |
| IF YOU HAVE DUST COMPLAINTS<br><br>Please call Yuma County Dust Control Hotline 928-217-DUST (3878) | 2.25" | 3" |

F. The project information sign text height shall be at a minimum as shown on the template above, and must contrast with lettering, typically black text with white background.

G. The lower edge of the sign board must be a minimum of three (3) feet and a maximum of five (5) feet above grade.

## CHAPTER 4 EXEMPTIONS

### §05-01-4001 GENERAL EXEMPTIONS

The following are exempt from the requirements of this ordinance:

A. Normal farm agricultural practices under Arizona Revised Statutes (A.R.S.) §49-457 and §49-504.4

B. Any action required or authorized to implement emergency operations that are officially declared by Yuma County to ensure the public health and safety.

## CHAPTER 5 COMPLIANCE

### §05-01-5001 COMPLIANCE

Failure to comply with any of the provisions specified under this ordinance shall constitute a violation. In the event that any person holding a building or grading permit pursuant to this ordinance violates the terms of the ordinance the County may suspend or revoke the building permit.

**DEVELOPER NAME**

**PROJECT NAME**

**Developer LOGO**

**COMPANY PHONE NUMBER ###-###-####**

**IF YOU HAVE DUST COMPLAINTS PLEASE CALL YUMA COUNTY DUST CONTROL HOTLINE**

**928-217-DUST (3878)**

Note: Logo shown is optional. The project information sign may also include information regarding the location or availability of the Storm Water Pollution Prevention Plan , if required in accordance ADEQ requirements.

Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES
2703 S. Avenue B • Yuma, Arizona 85364

Harold Aldrich
Director
(928) 329-2300
FAX: (928) 726-5626

71977

April 22, 2003

Mark Lewandowski, Environmental Rules Specialist
Air Quality Planning Section
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, Arizona 85007

Re: Yuma County Air Non Attainment Plan

Dear Mr. Lewandowski,

In accordance with our discussion on April 14, the requested information is as follows:

**Parking Lot Improvements**: The requirement to pave a parking lot and interior roads for a Recreation Vehicle Park are contained in the Yuma County Zoning Ordinance. A copy of the ordinance was given to you at our meeting.

Both references below are from the Zoning Ordinance.

**Section 906.00--Parking Area Surfaces**

A. Parking areas that: Include lanes for drive-thru windows or that have more than twenty five required parking spaces shall be graded and surfaced with asphalt over ABC, or concrete, or Portland cement over consolidated subgrade driveways.

**610.09--Minimum Development Standards**

6. There shall be a minimum of two points of ingress and egress to the park in order to allow emergency access. All roadways within the park shall be a minimum of thirty-two feet in width and shall be built and continuously maintained in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat sufficient to meet this requirement.

**Street sweeping annual cost**: Public Works provided that their total annual cost is approximately $50,000/year to operate their street sweeper.

**Dust palliative annual cost**: Public Works estimates that it cost approximately $3,600/year for a mile of roadway. This estimate includes labor, equipment and the dust palliative product applied twice a year.

**Site development:** The Building and Safety Division prepared the attached Amendments to the Comprehensive Building Codes, this was adopted by the Yuma County Board of Supervisors on August 17, 1998. Chapter 33 of the 1997 Uniform Building Code was amended to add section 3309.11, **Dust Control**. See page 8 of 8 of the attached document.

If you have any other questions or need additional information, do not hesitate to contact me.

Sincerely,

Roger A. Patterson, P.E.
County Engineer

Encl Yuma County Amendments to the Comprehensive Building Codes with Yuma County resolution no. 98-65 adopting the Amendment

Cc: Harold Aldrich, Director w/encl.

Yuma County
Yuma, Arizona
OFFICE OF
THE BOARD OF SUPERVISORS
198 Main Street
Yuma, Arizona 85364

LUCY SHIPP, DISTRICT 2
KATHRYN "CASEY" PROCHASKA, DISTRICT 3
CLYDE CUMING, DISTRICT 4
JIM BUSTER, DISTRICT 5
WALLY HILL, COUNTY ADMINISTRATOR

JUN 1 7

# RESOLUTION N0. 98-~~460~~ 65

A RESOLUTION OF THE YUMA COUNTY BOARD OF SUPERVISORS, YUMA, ARIZONA, FOR THE ISSUANCE OF BUILDING PERMITS PURSUANT TO ARIZONA REVISED STATUTES SECTION §11-861 WITH THE REQUIREMENTS OF ARIZONA REVISED STATUTE SECTION § 41-1492 AND SENATE BILL 1127 SECTION 7 INCORPORATED; REPEALING YUMA COUNTY RESOLUTION {BUILDING CODES UNDER A.R.S. § 11-861}, APPROVED JANUARY 8, 1975, DKT. 840, PG. 460, IN THE OFFICE OF THE YUMA COUNTY RECORDER; REPEALING YUMA COUNTY RESOLUTION {ADOPTING BUILDING CODE § 11-861} APPROVED SEPTEMBER 18, 1978, DKT. 1059, PG. 187, IN THE OFFICE OF THE YUMA COUNTY RECORDER; REPEALING YUMA COUNTY RESOLUTION {ADOPTING 1979 UNIFORM PLUMBING CODE, 1979 UNIFORM MECHANICAL CODE, 1981 NATIONAL ELECTRICAL CODE, AND FEE SCHEDULE} APPROVED AUGUST 3, 1981; REPEALING THE UPDATE OF THE 1985 BUILDING CODE AND ITS FEE SCHEDULE AND JULY-AUGUST 1985 EDITION OF BUILDING VALUATION DATA FROM BUILDING STANDARDS MAGAZINE PUBLISHED BY ICBO, APPROVED OCTOBER 21, 1985.

WHEREAS, Arizona Revised Statute section §11-861 provides that; "in any county which has adopted zoning pursuant to this chapter, the Board of Supervisors may adopt and enforce, for the unincorporated areas of the county so zoned, a building code and other related codes to regulate the quality, type of material and workmanship of all aspects of construction of building or structures", and

WHEREAS, the Arizona Revised Statutes section §41-1492.03 requires Counties to incorporate the Arizonans with Disabilities Act into their building codes, and

WHEREAS, the Yuma County Planning and Zoning Commission after appropriate and proper advertisement and notice, has held a public hearing and recommends the adoption of:

A. The 1997 Uniform Building Code, Volume #1, #2 and #3, including appendix chapter three, Division I, chapter three Division II, chapter three Division IV, chapter four Division I, chapter four Division II, chapter twelve Division II, chapter fifteen, chapter twenty one, chapter twenty nine, chapter thirty one Division II, chapter thirty one Division III and chapter thirty three



22999

(520) 329-2104 Fax: (520) 329-2001 TTD: (520) 329-2104

*Yuma County Government is dedicated to providing customer-focused services to enhance the health, safety, well-being and future of our entire community.*

30793

JUN 17 1999

and deletion of chapter 11 and replace with Arizona Revised Statute Section §41-1492 et seq, Arizonans With Disabilities Act and City of Yuma Ordinance # 098-24.

B. The 1996 National Electric Code including the administrative provisions, appendix chapters A, B, C, and City of Yuma Ordinance # 098-25.

C. The 1996 International Mechanical Code including appendix chapter A, and City of Yuma Ordinance #098-26.

D. The Arizona State Plumbing Code as set forth in Senate Bill 1127 section 7.

Any reference to the City disciplines in the above listed city ordinances shall denote the following for Yuma County:

| City Ordinances | County Codes |
|---|---|
| Yuma City Council (City Council) | Yuma County Board of Supervisors |
| City Clerk | Clerk of the Board |
| Fire Prevention Bureau of the City of Yuma Fire Department | Rural Metro Fire Department |
| Legal Council | Yuma County Attorney's Office |
| Class I Misdemeanor, and shall be punished as provided in section 1-10 of the city code | Class 2 Misdemeanor, and |

WHEREAS, these codes shall be referenced as The Yuma County Comprehensive Building Safety Code of which three copies are on file in the office of the Clerk of the Board, are hereby declared to be public records, and said copies are ordered to remain on file with the Clerk of the Board, and

WHEREAS, Yuma County has a separate ordinance establishing fees for services in the Department of Development Services, fees mentioned in the referenced codes or in the City disciplines of this resolution shall not apply, and

WHEREAS, the Yuma County Board of Supervisors directed the Department of Development Services to prepare and advertise for the adoption of the Yuma County Comprehensive Building Safety Code, and

WHEREAS, the Yuma County Board of Supervisors after appropriate and proper advertisement and notice, held a public hearing for the adoption of the Yuma County Comprehensive Building Safety Code, and

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WHEREAS, it is the intent of the Yuma County Board of Supervisors to make its codes consistent with the City of Yuma, and

WHEREAS, any person or corporation who shall violate any provision of the code adopted by this resolution shall be guilty of a Class 2 Misdemeanor, and each and every day during which the illegal erection, construction, reconstruction, alteration, maintenance or use continues is a separate offense.

THEREFORE, BE IT RESOLVED, that the Yuma County Board of Supervisors does this date adopt The Yuma County Comprehensive Building Safety Code as updated in this resolution and directs Yuma County Department of Development Services to enforce the requirements as set forth in Arizona Revised Statutes §11-861 and § 41-1492 et seq, and Senate Bill 1127 section 7, Amending Sections 9-801 and 11-861, Arizona Revised Statutes; Amending Title 9, Chapter 7, Article 1, Arizona Revised Statutes by adding Section 9-805; Amending Title 41, Chapter 3, Arizona Revised Statutes, by adding Article 11; Amending Title 41, Chapter 27, Article 2, Arizona Revised Statutes, by adding Section 41-3007.01; relating to the State Plumbing Code, as may be applicable to and enforceable by Yuma County, to become effective at 12:01 A.M. on November 1, 1998, and repeal Yuma County Resolution {Adopting Building Code § 11-861} approved September 18, 1978, Dkt. 1059, Pg 187, in the Office of the Yuma County Recorder, and repeal Yuma County Resolution {Adopting 1979 Uniform Plumbing Code, 1979 Uniform Mechanical Code, 1981 National Electrical Code, and Fee Schedule} Approved August 3, 1981, and repeal the Update of the 1985 Building Code and its Fee Schedule and July-August 1985 Edition of Building Valuation Data from Building Standards Magazine published by ICBO, approved October 21, 1985.

Approved and adopted this 17th day of August, 1998 by official action of the Yuma County Board of Supervisors taken at its regularly scheduled meeting.

RECEIVED
JUN 17 1999

Casey Prochaska
Kathryn "Casey" Prochaska, Chairman
Board of Supervisors
Yuma County, State of Arizona

ATTEST:

Wally Hill
Wally Hill, Clerk of the Board

APPROVED AS TO FORM AND DETERMINED AS WITHIN THE SCOPE OF PERFORMANCE OF DUTY OF THE BOARD OF SUPERVISORS

YUMA COUNTY ATTORNEY
DAVID ELLSWORTH

30793

BY [illegible]

22999

RESOLUTION NO. 93- 58

Resolution by the Board of Supervisors amending existing Yuma County Standard Specifications,

WHEREAS, Roger A. Patterson, County Engineer; filed with the Board of Supervisors of Yuma County, The Public Works Standards for Yuma County-Volume II Specifications,

WHEREAS, such Public Works Standard Specifications consist of the following:

- General Conditions
- Earthwork
- Roadway and Related Work
- Traffic Control, Right-of-Way Development and Incidentals
- Structures and masonary
- Pipe Work
- Material Specifications

and,

WHEREAS, the Standard Specifications adopted in the Public Works Standards supersede and replace previous Yuma County Standards Specifications and,

WHEREAS, the County Engineer has requested the Board of Supervisors adopt these Public Works Standard Specifications and,

WHEREAS, there exists a need within Yuma County for orderly development and growth, and public safety and welfare and,

WHEREAS, it appears to the Board that the adoption of the said Public Works Standards Volume II, Specifications are necessary in the orderly development of Yuma County and in providing public safety and welfare and,

NOW, THEREFORE BE IT RESOLVED that the herein above described Public Works Standards Volume II Specifications for Yuma County, are hereby adopted for use in Yuma County, and the County Engineer is hereby authorized and directed to amend the said Specifications from time to time as need may arise so that said Specifications will comply with current standardized and recognized civil engineering practice.

BE IT FURTHER RESOLVED, that the effective date of this resolution shall be the date approved.

Approved this 7th day of September, 1993.

Kathryn Prochaska

Kathryn "Casey" Prochaska, Chairman
Board of Supervisors
Yuma County, State of Arizona

ATTEST:

James R. Stahle

James R. Stahle, Clerk
Board of Supervisors

EXHIBIT C

DKT 1767 PAGE 388

COPY

State of Arizona
County of Yuma ss. 21603
I hereby certify that the within instrument was filed and recorded at the request of
1991 NOV -8 A 8:10
Yuma Co. Bd. of Supervisors
Docket 1767
Page 388-389
Witness my hand and official seal the day and year aforesaid.
GLENYS E. SCHMITT
County Recorder
Susan Marler
Deputy Recorder
N.F.
MICROFILMED
INDEXED

RESOLUTION NO. 91-52

Adopted by Board of Supervisors on November 4, 1991

Approved for Recordation by:

James R. Stahle

James R. Stahle,
Clerk/County Administrator

RESOLUTION NO. 91-52

A RESOLUTION OF THE YUMA COUNTY BOARD OF SUPERVISORS ADOPTING THE DEPARTMENT OF ENVIRONMENTAL QUALITY 1991 PARTICULATE PLAN FOR PM,,, STATING THE BOARD'S INTENT TO IMPLEMENT CERTAIN MEASURES CONTAINED IN THAT PLAN.

WHEREAS, the Department of Environmental Quality has prepared a State Implementation Plan for Particulates.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF YUMA COUNTY as follows:

SECTION 1. That the Yuma County Board of Supervisors adopts the 1991 Particulate Plan for PM10 attached herewith as Exhibit A.

SECTION 2. That Yuma County intends to implement the control measures set forth with the plan, subject to the County's funding ability.

SECTION 3. That annual progress reports will be provided to the Department of Environmental Quality.

SECTION 4. That the Board of Supervisors will consider modifications to the control measures set forth herewith and additional strategies, as appropriate, during the continuing planning process.

PASSED AND ADOPTED by the Yuma County Board of Supervisors, Yuma, Arizona this 4th day of November, 1991.

DANNY L. BRYANT, Chairman

ATTEST:

JAMES R. STAHLE,
Clerk/County Administrator

JRS/cpi
res91-52

YUMA COUNTY RESOLUTIOW # 91-38
RESOLUTION OF THE BOARD OF SUPERVISORS OF YUMA COUNTY, ARIZONA RELATING TO ESTABLISHING FEES FOR DISPOSAL OF REFUSE AND OTHER NON-HAZARDOUS MATERIALS AT YUMA COUNTY SOLID WASTE LANDFILL FACILITIES.

WHEREAS, the Board of supervisors desires to recover the cost of the operation of the Yuma County Landfill.

AND WHEREAS, ARS § 49-701 et seq currently gives the Board of Supervisors the authority to establish user fees to cover all or part of the cost of development, construction, operation, administration and financing of solid waste management activities.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Yuma County that the following regulations perraining to the collection of disposal fees be adopted:

Definitions:

A. BULK REFUSE means solid and semi-solid wastes, except human excreta, but including garbage, rubbish, ashes, household yard trimmings, manure and dead animals.

B. BULKY WASTE means large items of solid waste such as appliances, concrete, conduit, furniture, large auto parts, pipe, tanks, tires, trees, branches, stumps and other waste whose large size precludes or complicates their handling by normal collection, processing or disposal methods.

C. COMMERCIAL HAULER means anyone who hauls waste refuse other than their own household waste.

. COMPACTED MATERIAL means solid waste material compressed through hydraulic or mechanical means.

E. DEPARTMENT means the Yuma county Sanitary Landfill Department.

F. DIRECTOR means the Director of the Yuma County Sanitary Landfill Department or his authorized representative.

G. LIQUID WASTE means waste which is not spadable and is of a type and amount which the Department determines can be accepted a the Landfill.

H. LOOSE MATERIAL means all bulk refuse which has not been compacted.

I. MISCELLANEOUS ITEMS means garbage, household trash, grass, palm fronds, tree leaves, brush, manure, feed and straw.

J. SANITARY LANDFILL means a disposal site employing an engineered method of disposing of solid waste in a manner that minimizes environmental hazards by spreading and compacting all wsstcs to the smallest practical volume, and by applying cover material over all exposed wastes at the end of each operating day.

Application:

All Commercial haulers disposing of waste at county Sanitary Landfill shall bc charged a fee as described in the following section. Non-commercial users will not be charged. The fee shall be due in cash at the time of landfill usage unless other arrangements have been made with the Department. Payment of solid wastc fees may also be made in a advance of use. The fee collection program will bc administered by the Sanitary Landfill Division of the Dcpsrtmcnt of Public Works 2703 Avenue B, Yuma, Arizona 85364, (602) 329-2300.

Fees:

Fees for use of the Yuma County Landfill shall be assessed as set forth in the Rate and Fee Schedule. The Rate Schedule may be amended by Rcsolution of the Board of Supervisors.

USER FEE SCHEDULE ATTACHED - Exhibit A.
UNCOVERED LOADS *ATTACHED* - Exhibit B.

Billing:

Any user may, upon application and approval, pay solid waste fees through a monthly billing from Department. A user on a monthly billing may be required to provide a payment bond, letter of credit, or certificate of deposit in a reasonable amount to the Department. The payment bond may be applied by the Department against any amount unpaid sixty (60) days after date of billing. At such time as a user no longer desires a monthly billing, any amount remaining in the payment bond will be returned to the user. The Director may terminate a monthly billing privilege at any time.

Delinquency:

A. There shall be added charges for (a) interest at the rate of one and one-half percent (1 1/2%) per month on the sum of delinquent payments, compounded monthly and (b) any legal and administrative expenses incurred necessary to secure payment.

B. When a payment has been delinquent for more than (60) days, a written notice may be sent to the address listed for such

account, stating the total amount of delinquent payments then due and the period of time for which the payment has been delinquent,

C. If the delinquent payments are not paid within ten (10) working days from the date of the delinquency notice, the Director or his agents may take appropriate steps to ensure that the landfill privileges are not utilized until the delinquency is paid.

Enforcement:

The Director or his designee may enforce the provisions of this ordinance by denying a user access to the Yuma County Landfill. The Director may suspend or revoke the Landfill use privileges of any user who evades payment of the proper charges. Such denial of access or suspension or revocation of privileges may be appealed to the Board of Supervisors which may affirm, set aside, increase or lessen these administrative sanctions.

Effective Date:

This ordinance shall be come effective on September 1, 1991.

Severability:

In the event that any provision of this ordinance or the application thereof is held invalid, such invalidity shall have no effect on other provisions and their applications which can be given effect without the invalid provisions or application, and to this end the provisions of this ordinance are severable.

Passed and adopted by the Board of Supervisors of Yuma County, Arizona, the 19th day of August, 1991.

BOARD OF SUPERVISORS OF YUMA COUNTY

By

Chairman of the Board
DANNY L. BRYANT

ATTEST:

James R Stahle

Clerk of the Board
JAMES R. STAHLE

APPROVED AS TO FORM:

David S. Ellsworth

County Attorney
DAVID S. ELLSWORTH

0816WP.RAP

EXHIBIT "B"

YUMA COUNTY
SANITARY LANDFILL DEPARTMENT

A.R.S. § 28-1873 states in part: "A person who dumps, deposits, places, throws or leaves refuse, rubbish, debris, filthy or odoriferous objects, substances or other trash upon a state or county highway, road, public thoroughfare, public airport or the right-of-way thereto or within twenty yards of a state or county highway, road, public thoroughfare or public airport is guilty of a class 3 misdemeanor." Unfortunately, this is violated frequently by individuals hauling refuse to County landfills or transfer stations. Many hours of labor are required to pick up refuse scattered on and along side roads leading to and within the County disposal facilities. Due to constant traffic and the high frequency of violations, these roads often appear littered. Hauling of uncovered loads also contributes to air pollution from the release of fugitive emissions. Construction refuse, soil, and other materials which can be crushed into fine particles may be released directly into the air from uncovered beds, or may be crushed by traffic after falling onto road.

To promote voluntary compliance with A.R.S. § 28-1873, uncovered loads will be assessed the following handling charges at the time of their disposal at the County Landfill:

| Type of Refuse | Handling Charges | Effective Date |
|---|---|---|
| Vehicle plus load is 10,000 lbs. or less | Applicable fee plus $2.00 / load | January 1, 1992 |
| Vehicle plus load is over 10,000 lbs. | Applicable fee plus $5.00 / load | January 1, 1992 |

The payment of fees for uncovered loads will be used to defray the extra expense of picking up the litter. Violation of A.R.S. § 28-1873 may subject you to enforcement action by the Arizona Highway Patrol or the County Sheriff's Office. The intent of the handling charge is to promote covering of loads. Payment of the handling charge does not waive action pursuant to A.R.S. § 28-1873.

Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES
2703 S. Avenue B • Yuma, Arizona 85364

Harold Aldrich
Director
(928) 329-2300
FAX: (928) 726-5626

cc: MSL
ALJ
[illegible]

# FAX TRANSMITTAL

DATE: 6/23/03

TO: Theresa A. Pella

COMPANY: ADEQ

FAX NO. (602) 771-2366

FROM: Frank Sanchez

TOTAL PAGES INCLUDING THIS COVER PAGE: 8

SPECIAL INSTRUCTIONS/ COMMENTS/ INFORMATION:

Hello Theresa -

Per our mtg on Friday, Here is the information you requested.

- Copy of the Regulation For Concrete Driveways
- Copy of a Dust Control Plan for one of our County Projects.

If you have any Questions, Please let me know -

Thanks,

Frank Sanchez

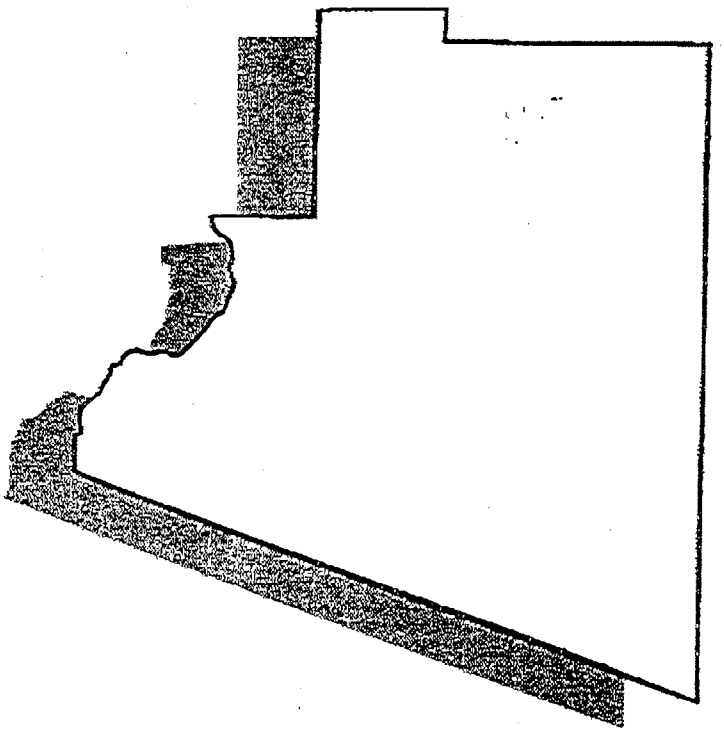
IF INCORRECT NUMBER OF PAGES ARE RECEIVED, PLEASE CONTACT US

☎IMMEDIATELY☎

# PUBLIC WORKS STANDARDS

7547

## FOR YUMA COUNTY VOLUME I



**YUMA COUNTY**
**DEPARTMENT OF PUBLIC WORKS**

# RESOLUTION NO. 88-28

Resolution by the Board of Supervisors amending existing Yuma County Construction Standards,

WHEREAS, Donald B. Fortney, Director of Public Works; filed with the Board of Supervisors of Yuma County, The Public Works Standards for Yuma County-Volume 1 and,

WHEREAS, such Public Works Standards consist of the following:

- Introduction
- Roadway Classifications
- Engineering Design Standards
- Monumentation
- Drainage and Utilities
- Structures
- Access Control
- Yuma County Construction Standards

and,

WHEREAS, the construction standards adopted in the Public Works Standards supersede and replace previous Yuma County Construction Standards and,

WHEREAS, The Director of Public Works has requested the Board of Supervisors adopt these Public Works Standards and,

WHEREAS, there exists a need within Yuma County for orderly development and growth, and public safety and welfare and,

WHEREAS, it appears to the Board that the adoption of the said Public Works Standards are necessary in the orderly development of Yuma County and in providing public safety and welfare and,

NOW, THEREFORE BE IT RESOLVED that the herein above described Public Works Standards for Yuma County, Volume 1 are hereby adopted for use in Yuma County.

BE IT FURTHER RESOLVED, that the effective date of this resolution shall be the date approved.

Approved this 18th day of July, 1988.

Clyde Cuming, Chairman
Board of Supervisors
Yuma County, State of Arizona

ATTEST:

Andrew O. Torres, Clerk
Board of Supervisors

### 3.3.9 Driveways

Driveway dimensions and details are shown in the Construction Standards. Specific guidelines for driveway location, spacing and where driveways are not permitted must be followed as defined in Section 7.0, Access Control Standards.

Where curb, gutters, and sidewalks are to be placed, driveways shall be constructed with Portland Cement Concrete. Where only curb and gutters are to be placed, or where no curb or gutters are to be placed, the driveway may be paved with the same materials used for the off-street surfacing on the property to be served. When the fronting property is unsurfaced, a surfaced driveway shall be provided between the edge of road and curb or sidewalk and the right-of-way line with one of the following:

a. Four inch A.B.C., only if the county road is unpaved.

b. Two inch asphalt pavement over four inch A.B.C.

c. Four inch Portland Cement Concrete.

Drainage requirements for driveways shall be as follows:

a. No surface drainage from driveways shall be allowed to flow onto county roads.

b. For driveways crossing ditch sections, culverts shall be 12 inches in diameter or larger if so required to carry anticipated storm water flows. Culvert sizes shall be approved by the Department of Public Works.

Maintenance of driveway approaches, including drainage culverts, shall be the responsibility of the owner whose property they serve.

A minimum clearance from obstructions (such as public utility structures, traffic control devices, etc.) of two feet for residential driveways and four feet for commercial and industrial driveways is required.

# Section 3 – Dust Control Plan

- Put a check (✓) in the box in front of all the following sources of fugitive dust that you anticipate from your project.
- Write the letters "NA" in the box in front of all the following sources of fugitive dust that you do not anticipate implementing during your project.
- Unless already pre-designated, write the letter "P", for primary control measures that you will implement during your project, on the line in front of at least one of the listed control measures or work practices, under each checked box/source of fugitive dust. The control measures pre-designated with the letter "P" are required to be implemented.
- Write the letter "C", for contingency control measures that you will implement during your project, on the line in front of at least one of the listed control measures or work practices, under each checked box/source of fugitive dust.

## [N/A] Unpaved Haul/Access Roads:

[ ] Limit vehicle speed to 15 miles per hour or less and limit vehicular trips to no more than 20 per day. If this is chosen as the primary control measure, indicate number of vehicles traveled on haul roads: _____

[ ] Apply water at a frequency and intensity to comply with Subsection 302.2 in Rule 310 (See Guidance-"Water")
Water Availability: _____
Water Application: _____

[ ] Pave

[ ] Apply and maintain surface gravel, recycled asphalt, or other suitable material so that the area meets the silt loading and silt content limits of Subsection 302.2 in Rule 310 (See Guidance-"Surface Gravel, Recycled Asphalt, Or Other Suitable Material")

[ ] Apply and maintain dust suppressant(s) other than water using _____ at a frequency of _____ and an intensity of _____ (See Guidance-"Dust Suppressants")

[ ] Other: _____

## [X] Disturbed Surface Areas – Before Dust Generating Operations Occur:

[P] Pre-water site to the depth of cuts (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Water Truck

[ ] Phase work to reduce the amount of disturbed surface area at any one time. Describe major project phases (See Guidance-"Describing Major Project Phases")
_____

[C] Other: Post Traffic Speed Limit to 15MPH

## [X] Disturbed Surface Areas – During Dust Generating Operations:

[P] Apply water (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Water Truck

[ ] Apply and maintain dust suppressant(s) other than water using _____ at a frequency of _____ and an intensity of _____ (See Guidance-"Dust Suppressants")

[ ] Construct fences or 3 foot - 5 foot high wind barriers with 50% or less porosity (in combination with one of the above) Show locations on drawing in Section 2.

[ ] Cease operations (as a contingency control measure only)

[C] Other: Post Traffic Speed Limit to 15MPH

## [X] Disturbed Surface Areas – Temporary Stabilization Including Weekends, After Work Hours, Holidays, And Periods Up-To 8 Months:

[P] Apply water (See Guidance-"Water") or other dust suppressant (See Guidance-"Dust Suppressants") in sufficient quantity and frequency to establish and maintain a visible crust.
Water Availability: Hydrant Meter
Water Application: Water Truck

[ ] Establish vegetative ground cover that complies with Subsection 302.3 in Rule 310 (See Guidance-"Vegetative Ground Cover")
Describe vegetative ground cover

[C] Restrict vehicular access in combination with one of the above

[ ] Other:

## [X] Disturbed Surface Areas – Permanent Stabilization Required Within 8 Months Of Ceasing Dust Generating Operations:

[C] Restore area such that the vegetative ground cover and soil characteristics are similar to adjacent or nearby undisturbed native conditions

[ ] Establish vegetative ground cover that complies with Subsection 302.3 in Rule 310 (See Guidance-"Vegetative Ground Cover")
Describe vegetative ground cover:

[P] Pave or apply gravel

[ ] Apply and maintain dust suppressant(s) other than water using _____, at a frequency of _____ and intensity of _____ (See Guidance-"Dust Suppressants")

[ ] Other:

## [N/A] Trackout From Work Sites With 5 Acres Or More Of Disturbed Surface Area Or With 100 Cubic Yards Or More Of Bulk Material Hauled On Or Off Site Per Day:

[ ] Install a grizzly or wheel wash system at all access points

P At all access points, install a gravel pad at least 30 feet wide, 50 feet long, and 6 inches deep

[ ] Pave starting from the point of intersection with a paved public roadway and extending for a centerline distance of at least 100 feet and a width of at least 20 feet

[ ] Other:

## [X] Spillage, Carry-Out, Erosion, And/Or Trackout:

### If Extending More Than 50 Feet Along A Paved Public Roadway, Implement IMMEDIATELY:

[P] Operate a street sweeper or wet broom with sufficient water, if applicable, at the speed recommended by the manufacturer

[C] Manually sweep-up deposits

[ ] Other (describe in detail):

## If Extending Less Than 50 Feet Along A Paved Public Roadway, Implement NO LATER THAN THE END OF THE WORK DAY:

[P] Operate a street sweeper or wet broom with sufficient water, if applicable, at the speed recommended by the manufacturer
[C] Manually sweep-up deposits
[ ] Other (describe in detail):

## [X] Vehicle Use In Open Areas:

[C] Restrict trespass by installing signs
[P] Install physical barriers such as curbs, fences, gates, posts, signs, shrubs or trees to prevent access
[ ] Other:

## [X] Unpaved Parking Lots:

[P] Apply water at a frequency and intensity to comply with Subsection 302.1 in Rule 310 (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Water truck
[ ] Apply and maintain gravel, recycled asphalt, or other suitable material such that the area meets the silt loading and silt content limits of Subsection 302.1 in Rule 310 (See Guidance-"Surface Gravel, Recycled Asphalt, Or Other Suitable Material")
[C] Pave
[ ] Apply and maintain dust suppressant(s) other than water using _____ at a frequency of _____ and an intensity of _____ (See Guidance-"Dust Suppressants")
[ ] Other:

## [X] Bulk Material Handling And Open Storage Piles:

(Choose Primary Control Measure And Secondary Control Measure For Each Of The Following 2 Situations):

### During Stacking, Loading, And Unloading Operations:

[P] Apply water at a frequency and intensity so as not to exceed 20% opacity (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Water Truck
[C] Other (describe in detail): Cease Operation

### When Not Conducting Stacking, Loading, And Unloading Operations:

[ ] Cover open storage piles with tarps, plastic, or other material
[ ] Apply water to maintain a soil moisture content at a minimum of 12% or 70% of the optimum moisture content for compaction (See Guidance-"Water")
Water Availability:
Water Application:
[P] Apply water as needed to establish and maintain a visible crust (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Water Truck
[ ] Maintain a threshold friction velocity of at least 100 cm/sec
[ ] Maintain vegetative cover meeting one of the requirements of Subsection 302.3 in Rule 310 (See Guidance-"Vegetative Ground Cover")
[ ] Construct wind barriers (See Guidance-"Open Storage Piles"). This control measure must be used in combination with at least one of the above control measures, except covering.
[C] Other: Cease Operation

## [X] Bulk Material Hauling On-Site Within The Boundaries Of The Work Site:

P Load all haul trucks such that the freeboard is not less than 3 inches; and
Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgates; and
Install a trackout control device that removes particulate matter from tires and the exterior surfaces of haul trucks and/or motor vehicles that traverse the work site

[C] Limit vehicular speeds to 15 miles per hour or less while traveling on the work site

[C] Apply water to the top of the load (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Apply Using 3" water hose attached to meter

[ ] Cover haul trucks with a tarp or other suitable closure

[ ] Other:

## [X] Bulk Material Hauling Off-Site Onto Paved Public Roadways:

P Cover haul trucks with a tarp or other suitable closure; and
Load all haul trucks such that the freeboard is not less than 3 inches; and
Prevent spillage or loss of bulk material from holes or other openings in the cargo compartment's floor, sides, and/or tailgate(s); and
Before the empty haul truck leaves the site, clean the interior of the cargo compartment or cover the cargo compartment

[C] Other: Cease Operation

## [X] Earthmoving Operations On Disturbed Surface Areas 1 Acre Or Larger:

[P] Apply water, while conducting earthmoving operations (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Water Truck

[C] Other: Post Traffic Speeds to 15MPH

## [X] Weed Abatement By Discing Or Blading:

P Pre-water site and apply water, while weed abatement by discing or blading is occurring (See Guidance-"Water")
Water Availability: Hydrant Meter
Water Application: Water Truck

[C] Other: Cease Operation

**Choose At Least One Of The Following, As A Primary Control Measure, To Be Implemented Following Weed Abatement By Discing Or Blading:**

[ ] Pave

[ ] Apply gravel to establish and maintain either a threshold friction velocity of at least 100 cm/sec or a cover of at least 10% non-erodible elements

[P] Apply water (See Guidance-"Water") or other dust suppressant (See Guidance-"Dust Suppressants") to establish and maintain a visible crust
Water Availability: Hydrant Meter
Water Application: Water Truck

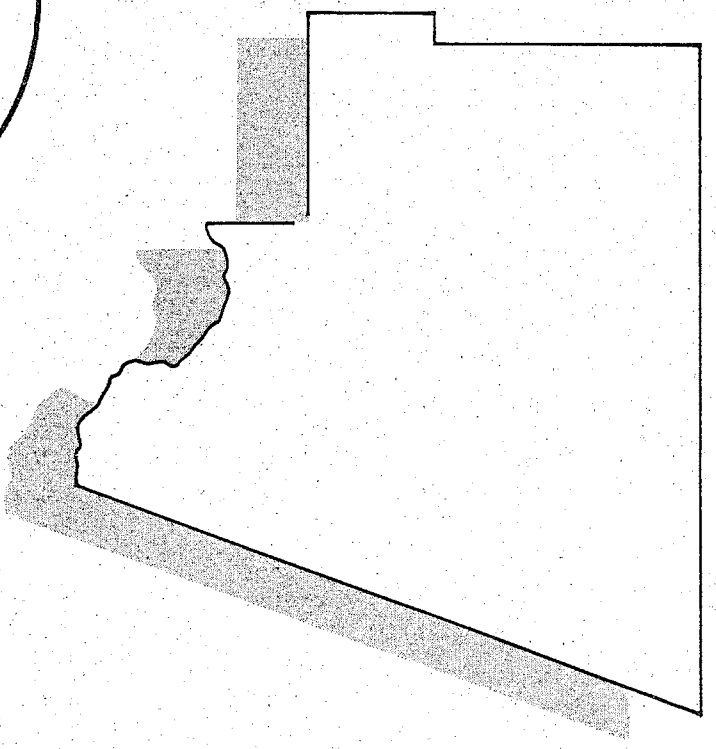
[ ] Establish vegetative ground cover meeting one of the requirements of Subsection 302.3 of Rule 310 (See Guidance-"Vegetative Ground Cover")

[ ] Other:

# PUBLIC WORKS STANDARDS

## FOR YUMA COUNTY

## Volume II



YUMA COUNTY
DEPARTMENT OF DEVELOPMENT SERVICES

# SECTION 104

# SCOPE OF WORK

## 104.1 WORK TO BE DONE:

**104.1.1 GENERAL**: The Contractor shall perform all work as may be necessary to complete the contract in a satisfactory and acceptable manner in full compliance with the plans, specifications and terms of the contract.

Unless other specified in the special provisions, he shall furnish all labor, materials, equipment, transportation, utilities, services and facilities required to perform all work for the construction of the project within the time specified.

**104.1.2 MAINTENANCE OF TRAFFIC**: The Contractor's operations shall be in accordance with the Manual on Uniform Traffic Control Devices and/or policies of the appropriate public agency having jurisdiction over the project. These operations shall cause no unnecessary inconvenience to the public and public access rights shall be considered at all times. Unless otherwise authorized in the specifications or on a temporary basis by the Engineer, traffic shall be permitted to pass through the work area. The Contractor shall coordinate with the various agencies both commercial and public, involved in the collection and removal of trash and garbage, so that adequate services are maintained.

Safe and adequate pedestrian and vehicular access shall be provided and maintained to fire hydrants, commercial and industrial establishments, churches, schools, parking lots, motels, hospitals, fire stations, police stations, and establishments of a similar nature. Access to residential properties shall be in accordance with Section 107 "Legal Relations and Responsibility to the Public".

Grading operations, pipeline and roadway excavation and fill construction shall be conducted and maintained in such a manner as to provide a reasonably satisfactory and safe surface for vehicular and pedestrian traffic. When rough grading is completed, the roadbed shall be brought to and maintained in a reasonably smooth condition, satisfactory and safe for vehicular traffic at the posted speed limit. Pedestrian walkways shall be provided and maintained in a like manner. The Contractor shall accomplish any additional grading operations and/or repairs, including barricade replacement or repairs during working and non-working periods which, in the opinion of the Engineer, are required.

In the event of abnormal weather conditions, such as windstorms, rainstorms, etc., the Contractor shall immediately inspect his work area and take all necessary actions to insure that public access, safety and adequate barricading is maintained.

The Contractor shall provide a Traffic Control Plan to the Engineer for review and approval prior to construction on arterial and collector roadways.

The Contractor shall provide the Engineer with the emergency phone numbers of his representatives.

**104.1.3 CLEANUP AND DUST CONTROL**: Throughout all phases of construction, including suspension of work, and until final acceptance of the project, the Contractor shall keep the work area clean and free from rubbish, excess materials and debris generated by construction activities.

The Contractor shall take whatever steps, procedures or means required to prevent any dust nuisance due to his construction operations. The dust control measures shall be maintained at all times to the satisfaction of the Engineer and in accordance with the requirements of the Yuma County Health Department.

Failure of the Contractor to comply with the Engineer's cleanup and dust control orders may result in an order to suspend work until the condition is corrected. No additional compensation or time will be allowed as a result of such suspension and the Engineer has the authority to take such other measures as may be necessary to remedy the situation.

**104.2.5 DUE TO THE FAILURE OF THE CONTRACTOR TO PROPERLY MAINTAIN THE PROJECT :**

(A) If the Contractor fails to provide adequate maintenance of traffic or cleanup and dust control or to correct deficiencies resulting from abnormal weather conditions, the Engineer has the authority to suspend the work wholly or in part until this condition has been corrected.

(B) If the Contractor fails to comply with the Engineer's written order to provide adequate maintenance of traffic, cleanup, dust control, or to correct deficiencies resulting from abnormal weather conditions, the Engineer has the authority to have this work accomplished by other sources.

(C) The Contractor agrees to cooperate fully with the other source accomplishing this work and agrees action shall not invalidate the Contract or release the surety.

# Miscellany – Updated Dust Control Ordinances (Yuma County)

**608.09--Minimum Development Standards**

A. The owners or owners' agents of a tract of land proposed to be developed as a manufactured home park shall submit to the Director a plan for the development and use of the park as drawn by a registered engineer. The Director upon review of the proposed plan may approve the park plan in accordance with the following minimum criteria or greater criteria if required in the reasonable discretion of the Director.

6. There shall be a minimum of two points of ingress and egress to the park in order to allow emergency access. All roadways within the park shall be a minimum of thirty-two feet in width and shall be built and continuously maintained in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat sufficient to meet this requirement.

**610.09--Minimum Development Standards**

A. An owner or owners' agent of a property proposed to be developed as a recreational vehicle park shall submit to the Director a plan for the development and use of the park as drawn by a registered engineer. The Director upon review of the proposed plan may approve the park plan in accordance with at least the following criteria or greater criteria if required in the reasonable discretion of the Director.

6. There shall be a minimum of two points of ingress and egress to the park in order to allow emergency access. All roadways within the park shall be a minimum of thirty-two feet in width and shall be built and continuously maintained in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat sufficient to meet this requirement.

**706.06 - Airport Industrial Overlay Districts (AIOD-1 and AIOD-2)**

(16) No new buildings or improvements or expansion of non-agriculture buildings or improvements for uses that result in the release of any substance into the air that would impair visibility or otherwise interfere with operating aircraft, such as any of the following:

(a) Steam, dust and smoke.

(17) Uses not listed are presumed to not be compatible. This does not preclude a determination of compliance if the political subdivision and the military airport mutually agree that an individual use is compatible and consistent with the high noise or accident potential of the military airport.

**Section 906.00--Parking Area Surfaces**

B. Parking areas that are not covered with the type of surface specified in Subsection (A) that require more than six spaces shall be graded and surfaced with a dust-inhibitor treated ABC. The perimeter of such parking areas shall be defined by

bricks, stones, railroad ties, or other similar devices. The driveway leading from the street or the property line shall be surfaced as provided in Yuma County Public Works Construction Standards.

D. Parking areas shall be properly maintained by the owner.

Office of Assistant Dir
Office of Air Quality

DEC 3 - 1992

# MEMORANDUM OF AGREEMENT

BETWEEN THE

## MARINE CORPS AIR STATION

AND THE

## ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
## STATE OF ARIZONA

The parties to this agreement are the Marine Corps Air Station Yuma, Arizona, and the Arizona Department of Environmental Quality, Air Quality Office.

1. Authority

Federal Authority
The cuthority for the Marine Corps Air Station is Marine Corps Order P5090.2.

State Authority
Arizona Revised Statutes Sections 49-104 A(2) and A(7).

2. Purpose

The purpose of this agreement is to formalize the cooperation between the Marine Corps Air Station and the Arizona Department of Environmental Quality in implementing Reasonably Available Control Measures to reduce particulate pollution in the Yuma $PM_{10}$ Non-Attainment Area.

3. Objectives

The objectives of this Agreement are:

a). To minimize $PM_{10}$ emissions resulting from federcl activities on the Marine Corps Air Station and from associated activities within the Non-Attainment area, to the extent practicable without jeopardizing the mission of the Marine Corps Air Station.

b). To provide technical assistance, and joint review of control measures and opportunities for cost effective means of reducing $PM_{10}$ emissions.

4. Inclementation

A. The Marine Corps Air Station will work with the City of Yuma in the development of a bicycle path from the Station to Yuma for the purpose of reducing motor vehicle trips between Yuma and the Station. Marine Corps Air Station is also encouraging car pooling an2 bicycle use on the Station given the fact bicycle rentals are now currently available on Station at no cost. MCAS is also controlling auto access and parking at selected locations on the Station.

B. Marine Corps Air Station will continue to require car pooling and coordination of administrative trips to San Diego and other off-station trips by government vehicle.

C. Marine Corps Air Station will pave approxinately 14 miles of Federal road to the firing range, and Range Management will control unauthorized traffic on unpaved roads by a combination of patrolling, posting, and use of gates at selected locations.

D. Marine Corps Air Station will take the following actions to control dust from disturbed land areas on Station:

1. Minimize grading and other soil disturbing actions on secondary unpaved roads. Indiscriminate grading of natural vegetation will be discouraged.

2. Identify and control areas where runoff transports soil to paved road surfaces.

3. Landscape wind erodible areas with native plants to prevent or control windblown dust.

4. Where vegetative control for security reasons is required, plants will be cropped or mowed to within a few inches of the ground, rather than being completely removed.

5. Where vegetation cannot be maintained, large gravel will be used to stabilize the area and provide dust control when such action does not create a safety hazard.

Pages 3-1 and 3-18, Marine Corps Air Station Natural Resources Managenent Plan - 1990, which further describe the measures to

control dust from disturbed land areas, are adopted by reference.

E. Marine Corps Air Station street sweeping equipment operators will be instructed to operate equipment in a manner which minimizes dust, including using water during operations.

F. The Arizona Department of Environmental Quality and Marine Corps Air Station will conduct a joint annual review and evaluation of the control measures implemented, and evaluate opportunities for revisions to this Agreement.

G. Marine Corps Air Station will establish record keeping and annual reporting procedures which will:

a. identify and map the areas treated during the previous year, including method, schedules of treatments, and efficiency evaluation. Using gravel and asphalt, approximately 1,000 yards of dirt road was blacktopped from the rifle range road to the impact area. Using large gravel and asphalt, an area of approximately 7,500 square yards of vehicle area was covered at building 603 (see Enclosure 1). Approximately 1,700,000 square yards of dirt area surrounding the air field was blanketed using an emulsified asphalt (see Enclosure 2).

b. describe progress made on items A and B from paragraph 4, Implementation:

1) for item 4.A., one half mile of bicycle path is completed. The estimated annual usage is approximately 10,400 bicycles.

2) for item 4.B., daily bus runs from MCAS Yuma to P-111 eliminated approximately 9,360 vehicles yearly; daily runs from MCAS Yuma to the Rifle Range eliminated approximately 24,000 vehicles yearly. Daily hospital run to Balboa Naval Hospital San Diego, California eliminated approximately 6,240 vehicles yearly.

c. identify and map areas to be treated in the current year, including method and proposed schedules of treatment. At the present date, MCAS Yuma has no proposed schedule for treatment.

d. identify any policy, regulation or order, or change therein, which affects any of the control measures included in this agreement. Marine Corps Order P5090.2 (Environmental compliance and Protection Manual) has been identified.

These records will be available for examination on request. A report containing the above listed information will be provided to the Air Quality Office, Arizona Department of Environmental Quality annually, in January.

5. General Provisions

A. All applicable national policy requirements and administrative management standards as set forth in Office of Management and Budget, Financial Management Division, Directory of Policy Requirements and Administrative Standards for Federal Programs are hereby incorporated by reference, including OMB Circular A-102, OMB Circular A-78, and OMB Circular A-128.

B. No member of or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this Agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreenent if made with a corporation for its general benefit.

IN WITNESS WHEREOF, the parties hereto do hereby execute this instrument:

For the
WINE CORPS AIR STATION

BY: _____ Date: 30 Nov '92
Clarence B. Cheatham,
Colonel, U.S.M.C.

For the
ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF ARIZONA

By: _____ Date: 12/4/92
Nancy C. Wrona,
Assistant Director for
Air Quality

EXHIBIT A

Contents of this Exhibit:

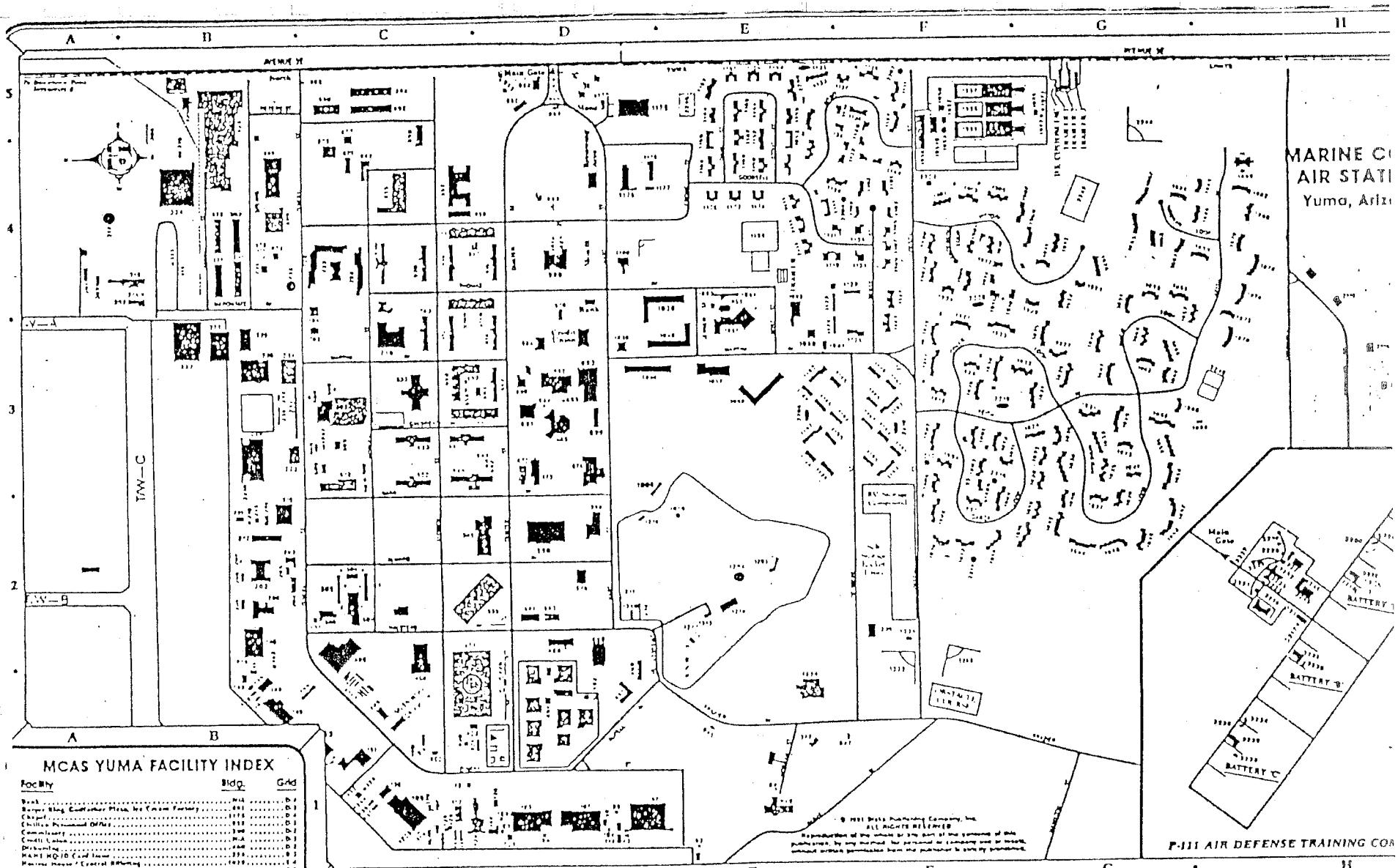
1. Pages 3-1 and 3 - 18, Marine Corps Air Station Natural Resources Management Plan - 1990.

2. Map of the proposed paved bicycle path.

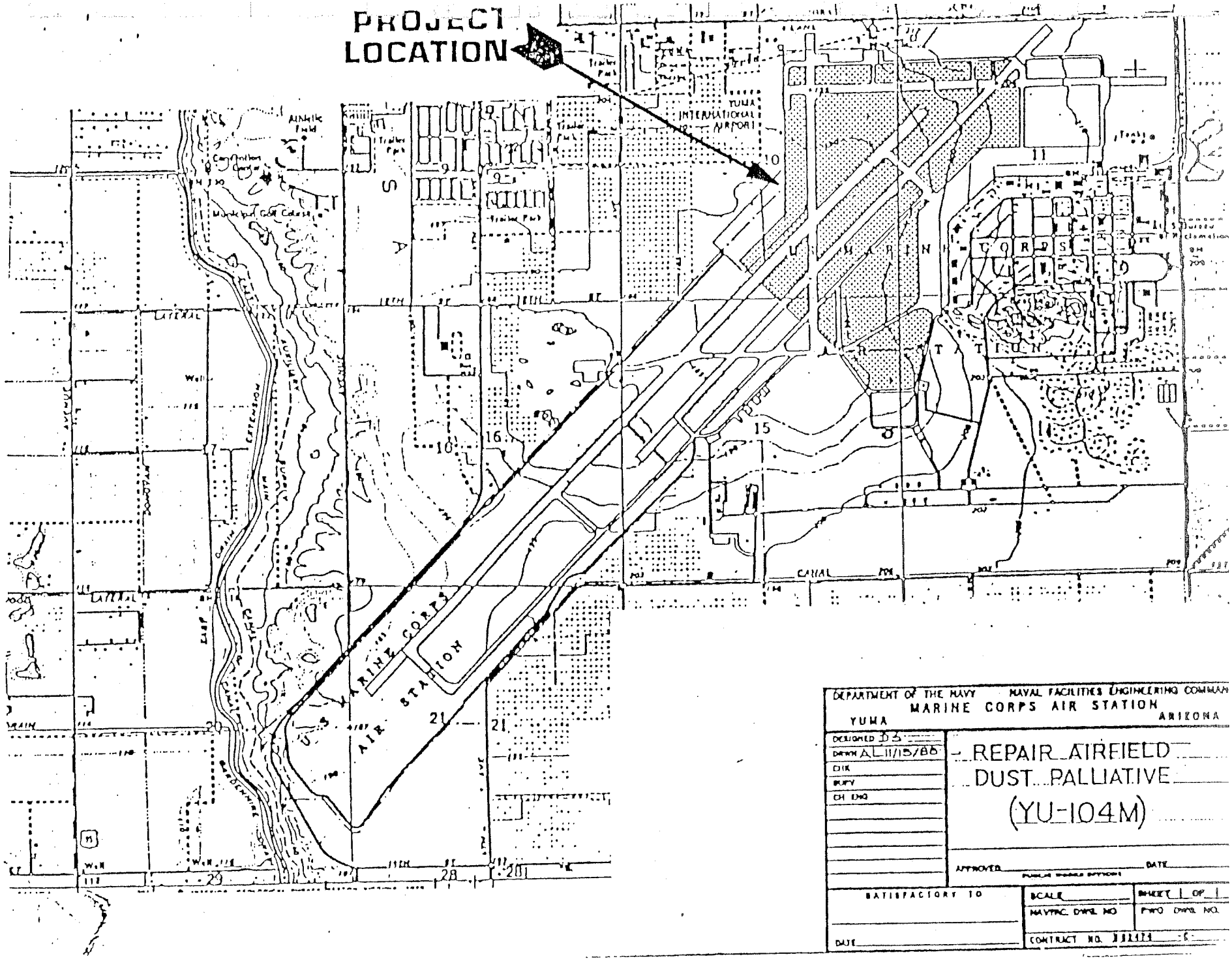
3. Map of firing range road to be paved.

4. July 15, 1992, letter from Environmental Division, regarding schedules for work to be completed.

5. Information regarding commitment of resources to complete planned work. (To be provided by MCAS).


MARINE C
AIR STATI
Yuma, Ariz
P-111 AIR DEFENSE TRAINING COR
BATTERY "B"
BATTERY "C"
Main Gate
TAXI—C
TAXI—A
TAXI—B
MCAS YUMA FACILITY INDEX
Facility
Bldg.
Grid
ALL RIGHTS RESERVED

Enclosure (7)


PROJECT LOCATION
YUMA INTERNATIONAL AIRPORT
U.S. MARINE CORPS AIR STATION
CANAL
DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
MARINE CORPS AIR STATION
YUMA
ARIZONA
DESIGNED
DRAWN AL 11/15/86
CHK
REVIEW
CH ENG
REPAIR AIRFIELD
DUST PALLIATIVE
(YU-104M)
APPROVED
DATE
SATISFACTORY TO
DATE
SCALE
SHEET 1 OF 1
NAVFAC DWG NO
FWD DWG NO.
CONTRACT NO.

02 MAR 12 AM 10: 28

**ADEQ AGREEMENT NO.: EV02-0115**

**TERMINATION DATE:** March 12, 2007

# MEMORANDUM OF UNDERSTANDING

**Between**

**Arizona Department of Environmental Quality**

**And**

**Yuma County Department of Health Services**

**THIS AGREEMENT** is between the **State of Arizona Department of Environmental Quality** [hereinafter sometimes referred to as "ADEQ"], located at **3033, N. Central Avenue, Phoenix, AZ 85012**, and **Yuma County Department of Health Services, 2200 West 28th Street, Yuma, AZ 85364**

| Arizona Department of Environmental Quality | Yuma County Department of Health Services |
|---|---|
| **Nancy C. Wrona, Director**<br>**Air Quality Division** | **David D. Brooks, Director** |
| **Date:** 3/12/02 | **Date:** 3/7/02 |

# Memorandum of Understanding

## Between

## Arizona Department of Environmental Quality

## and

## Yuma County Department of Health Services

Whereas A.R.S. § 49-501, authorizes any public officer in the performance of official duty, to issue open burning permits for the purpose of weed abatement, the prevention of a fire hazard, or instruction in the methods of fighting fires, and

Whereas the Marshal of the Yuma County Department of Health Services meets the qualification set forth in A.R.S. § 38-101 for the public officer, and

Whereas the Yuma County Department of Health Services agrees to enforce and observe rules adopted by the Arizona Department of Environmental Quality (ADEQ), laws of the State of Arizona pertaining to the preservation of public health and protection of the environment, and Arizona Guidelines for Open Burning, and

Whereas the Director of ADEQ believes the Yuma County Department of Health Services to be qualified and capable of performing the activities covered by the Agreement and committed to performing them in a quality manner, and

Whereas the Marshal of the Fire Department agrees to abide by the terms of this document, Arizona Open Burning Guidelines and A.A.C. R18-2-602, and

Whereas the Yuma County Department of Health Services deems that it is in its best interests to accept such responsibility,

Therefore, the Director of ADEQ and the Marshal of the Yuma County Department of Health Services enter into this agreement that the Yuma County Department of Health Services will perform those activities described in this Agreement and Arizona Open Burning Guidelines as attached.

### A. RECORDS AND INSPECTIONS:

1. The Yuma County Department of Health Services agrees to prepare and maintain records

relating to the performance of the activities specified in this Agreement, for a period of five years.

2. The Yuma County Department of Health Services agrees to provide copies of open burn permits to the Arizona Department of Environmental Quality pursuant to A.A.C. R18-2-602.

3. ADEQ representatives may accompany employees of the Yuma County Department of Health Services on inspections and review all records relating to the performance of the activities set forth in this Agreement. Where practicable, ADEQ will provide prior notice to the Yuma County Department of Health Services of its intent to accompany the Fire Department employees on inspections.

## B. OPERATING GUIDANCE:

ADEQ will provide the Yuma County Department of Health Services with operating guidance for use in implementing the terms of this Agreement. The guidance shall include; Arizona Guidelines for Open Burning, application forms, and a copy of permit forms and procedural guidelines. Guidance may also include other material that may assist the Yuma County Department of Health Services in making decisions necessary to carry out the activities covered by this Agreement. ADEQ will update this guidance material periodically as the need arises. The Yuma County Department of Health Services is encouraged to use the guidance and to contact ADEQ at any time to request clarification or to request that additional guidance be provided to cover a particular topic.

## C. ENFORCEMENT:

1. In carrying out its duties under this Agreement, the Yuma County Department of Health Services shall comply with the provisions of A.R.S. § 49-501, and observe and enforce the rules of ADEQ and the laws of the State of Arizona pertaining to the preservation of public health and protection of the environment.

2. The Yuma County Department of Health Services shall initiate timely and appropriate enforcement actions against individuals and facilities to resolve violations of statutes and rules applicable to this Agreement. ADEQ retains complete authority to take enforcement action against any individual, facility or violator covered by this Agreement or, at its sole discretion, to refrain from exercising such authority if enforcement action taken by the Yuma County Department of Health Services is timely, appropriate and effective.

3. The Yuma County Department of Health Services shall respond to imminent health hazards which fall under the Yuma County Department of Health Services's area of jurisdiction. ADEQ also retains authority to respond to, abate, or eliminate an imminent and substantial danger to public health or the environment.

4. The Yuma County Department of Health Services shall not adopt any rules, procedures or policies that are in conflict with State law and are less restrictive than the rules of ADEQ.

## D. TERMINATION:

1. This Agreement may be terminated in whole or in part by either party, upon providing 30 days advance written notice by certified mail to the other party.

2. The Yuma County Department of Health Services shall, prior to the termination of all or part of this Agreement, forward to the ADEQ Director all files, public documents and pending applications received by the Yuma County Department of Health Services for those functions, powers, and duties being terminated and a summary status report of those functions, powers, and duties, and shall provide written notification to all persons with pending applications and to all regulated facilities affected by such termination.

## E. AMENDMENT:

This Agreement may be amended at any time upon mutual written agreement of the parties. No amendment of any of the terms of this Agreement shall be effective unless it is in writing and signed by the Designated Officers of the respective parties, or their designees.

## F. AGENCY CONTACT PERSONS:

The following Yuma County Department of Health Services employee has been designated as responsible for administering the functions and duties pursuant to this agreement. The Yuma County Department of Health Services shall provide written notice of any successor.

Name: David D. Brooks

Title: Director, Yuma County Department of Health Services

Address: 2200 West 28th Street
Yuma, AZ 85364

The following ADEQ employee has been designated as responsible for administering the functions and duties pursuant to this Agreement. ADEQ shall provide written notice of any successor.

Name: Nancy C. Wrona

Title: Director, Air Quality Division

Address: 3003, North Central Avenue
Phoenix, AZ 85012

The naming of a successor to either of the above individuals shall not require the re-execution of or an amendment to this agreement.

## G. EFFECTIVE DATE OF AGREEMENT:

This Agreement shall become effective on the date signed by the ADEQ Director or his/her designated representative.

## H. AGREEMENT TERM:

The initial term of this Agreement shall be five years from the effective date and may be extended by mutual written agreement of the parties, as permitted by applicable law.

PERMITS: PERMITS CLASSIFICATIONS: GUIDELINES FOR OPEN BURNING

## For what purposes can you burn?

The Permits Section of the Office of Air Quality issues permits for open burning for certain purposes which are outlined in R18-2-602 of the Arizona Administrative Code (A.A.C.). Specifically, A.A.C. R18-2-602 states that open outdoor fires may be permitted only for the purposes of weed abatement, prevention of a fire hazard, or instruction in the methods of fighting fires.

## How can you burn?

Your material to be burned shall be dry, readily combustible, and placed in any of the following arrangements in such quantities that it will be completely consumed within the permitted burn hours listed below:

- piled
- collected in a pit
- placed in an approved waste burner
- ignited in place

Your piled or pit contained material must have a minimum clearance of 50 feet from any structure.

You may start your burn using items such as matches, flares, or hand held torches fueled by liquified petroleum gas such as propane or butane. You may not start your fire using tires, tar paper, oil, or liquified petroleum products such as gasoline or diesel. You may not use any ignition device that causes the production of black smoke.

## When can you burn?

You are only allowed to burn between the following hours:

- Year round: start igniting no earlier than one hour after sunrise; and

Education & Outreach
Laws, Rules & Policies
Permitting
Publications & Forms
Employment
Doing Business with ADEQ
**BROWSE BY PROGRAM**
Air Quality
Tank Programs
Waste Programs
Water Quality

- Year round: fire must be extinguished two hours before sunset.

**You are not allowed to burn at night. Do you have any additional responsibilities?**

You must notify the local fire fighting agency or private service provider, if the service provider is a delegated authority, prior to each open burning. Such agency may require you to obtain a permit from them before being allowed to burn and may prohibit open burning during periods of smoke dispersion, excessive visibility impairment, or during periods of extreme fire danger.

You may not open burn when any air stagnation advisory, as issued by the National Weather Service, is in effect in the area of the burn or during periods when smoke can be expected to accumulate to the extent that it will significantly impair visibility in Class I areas. Such visibility impairment can be anticipated during periods of heavy regional haze and/or calm wind conditions.

Open burning shall be conducted only during wind conditions which prevent dispersion of smoke into populated areas, do not cause a visibility impairment on traveled roads or airports to the extent that a safety hazard results, do not create a public nuisance, and do not cause uncontrollable spreading of the fire.

You may be required by the Director or the Director's Designee to extinguish or abstain from open burning during periods of inadequate smoke dispersion, excessive visibility impairment or at other times when public health or safety could be adversely affected.

You must be present at all times when open burning. Do not set a fire and leave. You may be responsible for any damage caused by a fire started by your open burning. You may be subject to civil penalties from damages caused by fires started by your open burning. You must have available any necessary equipment (i.e., water supply, water hose, shovel, sand, etc.) to control the burn and to put out the fire if the need arises. You must completely extinguish the fire before leaving it unattended.

You must have a copy of the burn permit on-site during open burning, to show that you have authorization to conduct open burning. The permit shall not be construed to relieve you from liability from resulting damages or the obligation to comply with other applicable laws, regulations, or ordinances.

You must fill out the 'Reporting Form' and 'Certification of Truth, Accuracy, and Completeness', included with your permit, and return it to ADEQ or the agency which issued your permit by March 31st of each year.

**What types of Emission Reduction Techniques (ERTs) you should be utilizing to minimize**

**emissions from the fire?**

- Minimize the material to be burned;
- Prevent fire from spreading by lining the area where open burn is conducted and application of fire retardant foam, or water;
- Allow the material to dry before burning;
- Minimize soil content in slash piles and by constructing piles under dry soil conditions or by using hand piling methods;
- Burn in piles;
- Use a back fire (burn in the opposite direction of wind) when grass is burned;
- Use an air curtain destructor operated pursuant to manufacturer specifications and meeting applicable state or local opacity requirements;
- Extinguish the smoldering burns;
- Burn before litter falls;
- Burn prior to precipitation

**Types of material you are NOT to burn with an open burning permit:**

1. All plastic materials such as:
    - bottles for household chemicals
    - grocery and retail bags
2. Waste petroleum products:
    - waste crankcase oil
    - transmission oil
    - used oil
    - oil filters
3. Hazardous material containers that contained:
    - pesticides
    - lead compounds
    - cadmium compounds
    - mercury compounds
    - arsenic compounds
4. Tar Paper
5. Poison Oak
6. Asbestos
7. Poison Ivy
8. Poison Sumac
9. Oleanders
10. Aerosol Spray Cans
11. Flammable Liquids

12. Antifreeze
13. Explosives or Ammunition
14. Polyester
15. Thermal Insulation
16. Tires
17. Electrical Wire Insulation
18. Batteries
19. Hazardous Waste Products:
    - paints
    - pesticides
    - cleaners
    - stains and varnishes
20. Asphalt Shingles

Back to Classifications

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# SMOKE MANAGEMENT PLAN FOR THE YUMA PLANNING AREA

## I. INTRODUCTION

The Yuma Planning Area is required by the Environmental Protection Agency and the Arizona Department of Environmental Quality (ADEQ) to implement Reasonable Available Control Measures in order to reduce ambient air particulate matter concentrations. The adoption of a smoke management plan for agricultural burning practices is considered a Reasonable Available Control Measure. The following plan is intended to effectively reduce smoke impacts from agricultural burning and to allow for the economic disposal of agricultural waste when there exists no economically feasible alternative.

## II. AIR QUALITY GOALS

Utilizing ADEQ data for land use and estimates of agricultural burning in the Arizona portion of the Yuma Planning Area, reduction of these sources can be accomplished in the following manner. The primary sources of burning are Bermuda Grass fields, asparagus fields, citrus grove slash, ditches and grain crops such as wheat. Base data from 1986 ADEQ estimates for annual acreage burned is 20,597 acres which corresponds with 295 tons of particulates from this source released into the Yuma Planning Area. Emission reduction can be accomplished through an annual reduction of twenty-five percent (25 %) of the base acreage burned from 1992 through 1994. If there is a further need for emission reductions after these three yearly reductions, all grain/wheat burning will be banned. The 1994 goal for annual acreage burned will be 5,149 acres corresponding to 74 tons of particulates released which will aid in the Yuma Planning Area regaining compliance with EPA ambient air quality standards.

## III. GENERAL PROVISIONS

### A. Reporting by Burner

All burns conducted within the Arizona portion of the Yuma Planning Area must be registered on the day of the burn or on Friday for weekend burns. The burner must notify by telephone the appropriate agency of the following information: location of the burn, responsible party with contact telephone number, fuel type, size of burn (number of piles, number of windrows or acreage), tonnage estimate and ignition technique. At the time of registration, the regulating agency will

notify the burner the time period during which he/she is permitted to burn on that day or the upcoming weekend. The burner is permitted to burn only during authorized time periods as determined by the National Weather Service and provided to the regulating agency.

B. Reporting by Regulating Agency

A log book of all burns registered will be maintained by the controlling agency. Daily total acreage burned will be recorded. Also, within this book, the daily burning period will be noted as will a general synopsis of the weather including relative humidity, wind direction, wind speed, temperature extremes and the presence of either "Red Flag" conditions (unusually severe fire weather such as very low humidity in combination with strong winds - sustained winds in excess of 25 mph or numerous dry lightning storms in the area), air pollution alert or the presence (depth and duration) of an inversion. Any significant wildfires which may influence air quality in the area should also be noted. Any citations given for non-compliance and disposition should be recorded in this logbook.

Annual Report - The above log book of information should be submitted annually to the ADEQ in Phoenix for review. Monthly and annual total acreages burned by fuel type should also be included. A written review of major problems or success in attaining smoke management goals will also be submitted.

## IV. MONITORING

A. Burner

The burner, once granted permission to burn, will monitor his/her burn to ensure that the smoke is dispersing well above ground. If the smoke is not dispersing, the burn should be controlled/extinguished and the regulating agency notified. All burns should be monitored so that no safety hazard should be created on public roads or air traffic control areas. Burns should not be the cause of a public nuisance. All legal liability for the burns and subsequent smoke lies with the burner.

B. ADEQ

At least one particulate matter sampler will be maintained in Yuma while the smoke management program is in effect. Data from the existing particulate matter sampler in Yuma will be assessed by the ADEQ in conjunction with the above log

book information in order to determine if the schedule of reduction or total emissions reduction is adequate. Communication between the ADEQ and the regulating agency should be maintained on these issues of emission reduction attainment. ADEQ should assess whether an additional monitor may be appropriate in the Yuma Planning Area which may be placed downwind of frequently burned areas.

## V. BURNING

### A. Burner Responsibility

The burner will only burn during those hours authorized by the regulating agency and with verbal permission by the same agency after he/she has provided the agency with the required information. No burning will occur during red flag conditions, an inversion nor during an air pollution alert. Long term smoldering of fuels will not be permitted and must be controlled so that active burning occurs only during approved burning hours.

### B. Regulating Agency

The regulating agency will contact the National Weather Service in Yuma for a daily determination of the appropriate burning hours. If information is needed for requests for weekend burning, the agency will use the NWS forecasted burn hour information. The level at which the NWS has found useful for burn hour forecasting is when the mixing height is greater than 4,000 feet above ground level. This parameter has worked in the past, however more stringent criteria such as specific wind direction may be needed. If the system is found to be inadequate for dispersing smoke from the burns, this step could be taken. Assessment of the adequacy of the forecasted burn hours should be reviewed with the ADEQ on an annual basis. No burning should occur after sun down for safety reasons.

## VI. VIOLATIONS

### A. Burners

All burners within the Yuma Planning Area in Arizona will comply with these Guidelines. If burning occurs without verbal permission/registration or during no-burn hours, the violator will be cited by the Yuma County Sheriffs Department (ARS 36-789.01) and be subject to a sliding scale of fines. The sliding scale

will be $100.00 for the first infraction, $200.00 for the second, $300.00 for the third and so on, per each calendar year.

## VII. EDUCATION

### A. Public

Information should be made available to the public on the smoke management program and its goals of emission reduction and protection of public health through ambient air quality.

### B. Burners

This program should be implemented over a period of 3 months in order to ensure that all potentially affected parties are adequately notified of these smoke management provisions.

# RURAL/METRO

Open Burning Permit Application/Permit #_____

## Mechanical burning equipment required on all citrus burning.

| | |
|---|---|
| 1) Burn Location: YUMA COUNTY | 2) Today's Date: |
| 3) Property Address or Legal Description: | |
| 4) Material to be burned | |
| 5) Quanity to be burned | |
| 6) Material to be: (check one) ❑ Collected in a pit ❑ Placed in an approved waste burner ❑ Piles ❑ Ignited in a place using high temperature mechanical burners | |
| 7) Length permit requested for: | 8) FROM: TO: |
| 9) Purpose for requesting burn permit: ❑ Weed Abatement ❑ Fire Prevention | |
| 10) Fire controls available? ❑ Yes ❑ No No burning within 50' of any structure. | |
| 11) Nearest responding local fire department: | |
| 12) Phone number: **9-1-1 for Emergency; 782-4757 business line** | |

Please check the appropriate box:

Permit Fees:

- ❑ 30 Day Residential.....$5.00
- ❑ 6 Months Residential.....$25.00
- ❑ 30 Days Commercial/Agriculture.....$10.00
- ❑ 6 Months Commercial/Agriculture.....$50.00
- ❑ Annual Commercial/Agriculture.....$95.00

| | |
|---|---|
| Additional Information: | |
| | |
| 13) **Applicant Name:** | 14) **Signature:** |
| 15) **Mailing Address:** | |
| 16) **City, State, Zip Code:** | |
| 17) **Daytime Phone #:** | 18) **Fax #:** |
| 19) **Method of payment:** ❑ Cash ❑ Check | |
| **Received by:** | |

Make checks payable to: **YUMA COUNTY HEALTH DEPT**
660 E 18th Place
Yuma AZ 85365

Approved by:_____

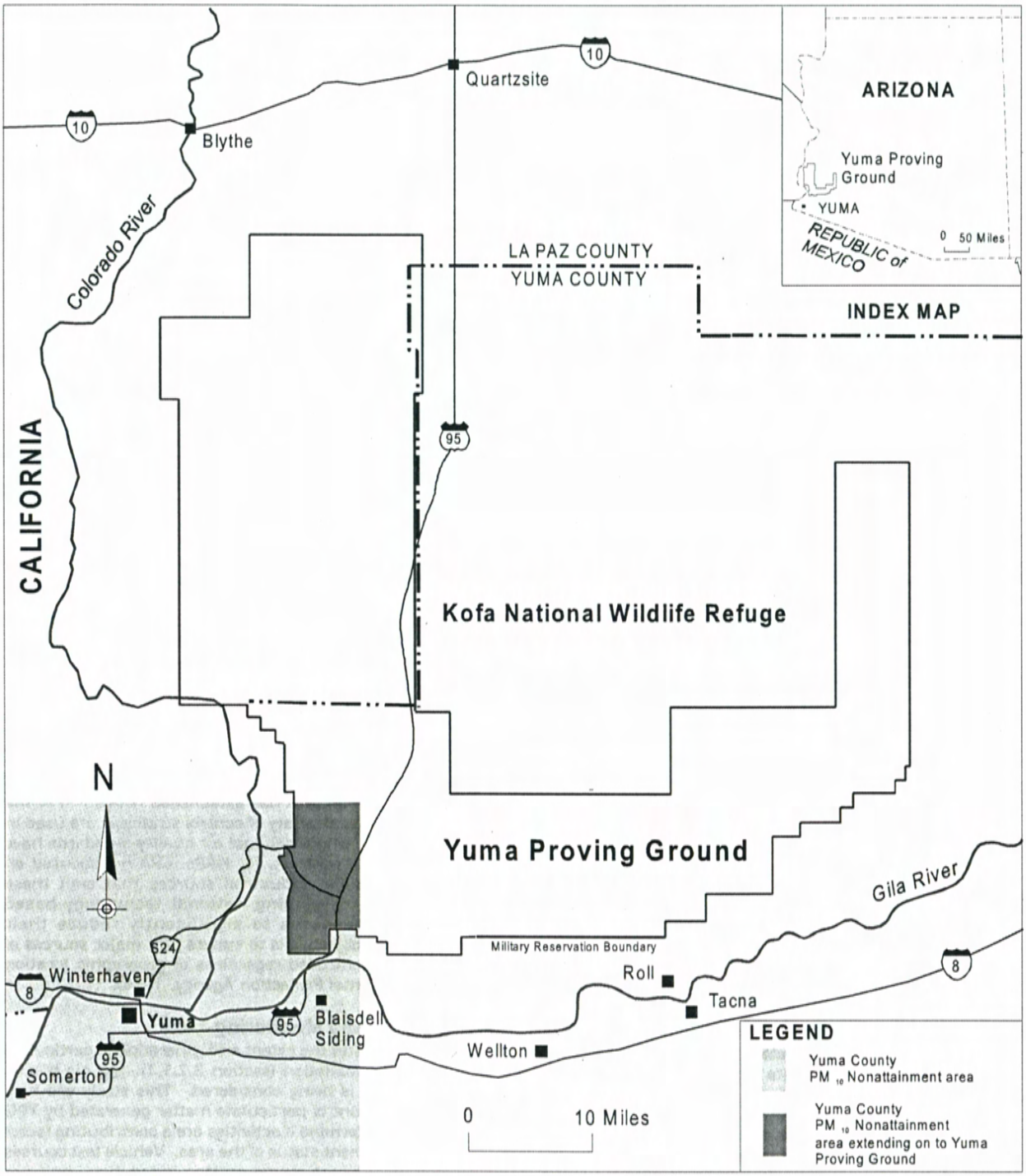



Figure 9. $PM_{10}$ Nonattainment Area at Yuma Proving Ground.

# YUMA PROVING GROUND HUNTING PROGRAM

## HUNTING SAFETY

1. Read all the information presented on this brochure and within the Arizona Hunting Regulations booklet. Obey all the procedures and restrictions. Most restrictions were developed to ensure your safety and the safety of others. YPG's primary concern is that your hunt is a safe one.

2. Hunter Safety: Hunting can be a dangerous sport. Poor judgment, improper training and recklessness can result in a tragedy. All hunters are encouraged to complete a hunter safety course. Consider the *Ten Commandments of Firearm Safety:*

- **Treat every gun as if it were loaded.**
- **Always control the muzzle.** Be able to control the direction of the muzzle, even if you should stumble.
- **Be sure the barrel and action are clear of obstructions** and that you have only ammunition of the proper size for the gun you are carrying.
- **Be sure of your target before you pull the trigger;** know identifying features of the game you are hunting.
- **Unload guns when not in use.** Take down or have the action open; guns should be carried to and from the shooting areas in cases.
- **Never point a gun at anything you do not want to shoot.** Avoid all horseplay with firearms.
- **Never climb a fence or a tree or jump a ditch with a loaded gun.** Never pull a gun toward you by the muzzle.
- **Never shoot a bullet at flat, hard surfaces or water.** Know what lies beyond your target; at target practice, be sure your backstop is adequate.
- **Store guns and ammunition separately,** beyond the reach of children and careless adults.
- **Avoid alcoholic beverages and mood altering drugs** (prescription or otherwise) before and during shooting.

3. Environmental Safety: The desert can be a dangerous place. Exposure to climatic elements, rough and rugged terrain, hazardous plants, and wildlife await the unprepared. Desert dwellers can be dangerous to hunters. Most vegetation is armed with thorns or spines, some of which are sharp enough to penetrate boots and vehicle tires. Animals such as rattlesnakes, gila monsters, and scorpions can inflict venomous wounds. Rodents and other mammals can potentially be carriers of communicable diseases. Desert worthy, appropriate gear, communications equipment, and contingency plans are all essential for hunting in the desert.

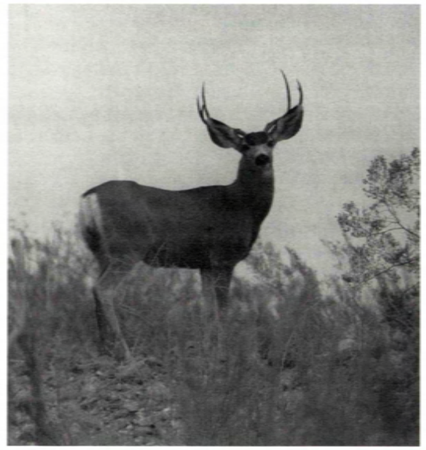
4. Mission Safety: YPG is a dangerous place. Rockets, artillery, mines, bombs, lasers, and explosives are tested here. When ranges are not actively firing, the danger from unexploded ordnance remains. YPG's hunting areas were selected on the basis of distance from active ranges and reduced risk from surface ordnance contamination. However, the possibility of encountering unexploded ordnance exists for all lands on YPG, including approved hunting areas. Please remain vigilant and avoid ordnance.

5. Range Clearances: **Always obtain a range clearance before entering hunting areas**. A clearance number will be issued to keep track of your individual location. This assures your safety by precluding conflicts with military users of the same area, and is the primary means that YPG has to respond to emergency situations. Once you have obtained a clearance always identify your self by your issued clearance number. Always cancel your clearance when you leave the installation.

6. Provide assistance to hunters in need. Be courteous in your conduct with others.

7. Report hazards and violations to the YPG Police Desk, at Building 701, or telephone (520) 328-2346 or 328-2720. For emergencies, call 911; the proper authorities will be notified.

## YUMA PROVING GROUND



## HUNTING PROGRAM

## RULES AND REGULATIONS

YPG allows hunting, on limited portions of the installation, within the following guidelines. Failure to comply with any of these procedures and rules may result in loss of hunting privileges on YPG, possible citation, and/or prosecution.

1. All State of Arizona and Federal wildlife laws apply to hunting and taking of game on YPG. You must have the same licenses, tags, permits, and/or stamps that would be required on all other lands in Arizona.

2. Additionally, all hunters and their guests must possess a current YPG Hunting Permit. Each person in the party must have a permit, regardless of whether they are actually hunting. The permits are issued annually and are valid from the start of early dove season (1 September) to the last day of quail season (12 February).

3. Hunting for deer, small game, and migratory birds (e.g. doves) is allowed only in the designated hunting areas (see map on reverse). Hunters possessing a valid desert bighorn sheep permit from Arizona should contact YPG if they desire to take a sheep from installation lands. Special accommodations will be made for sheep hunters, to the extent allowed by military constraints.

4. Vehicle access is restricted to existing roads and developed trails. All off-road use of motorized vehicles is prohibited.

5. Camping is authorized, in conjunction with hunting, provided that an overnight clearance is obtained beforehand. Campsites will be returned to a natural condition; all trash and refuse will be hauled out (on-site burial of trash is prohibited). Dead and down wood only may be used for campfires on-site although use of carried-in fuel supplies is encouraged.

6. Crossbows are not authorized for hunts on YPG lands.

7. Scouting trips to hunting areas on YPG are authorized to all YPG hunting permit holders. All other rules apply during scouting trips. Scouting trips may only occur during YPG hunting season (1Sep – 12 Feb).

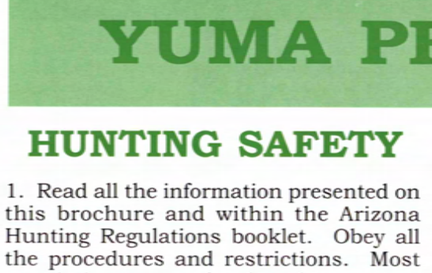
## PROCEDURES

Obtain a YPG Hunting Permit from the Hunting Program Office in Building 2105A on YPG (located north of building 2105 in the Mobility Test Area). This may be done in person or through the mail. A signed application and liability release form must be submitted for each permit. Applications will be provided by the Hunting Program Office.

The permit cost is $10. However, there are two exceptions: Arizona Pioneer License holders may receive a free permit. Also, small game hunters under the age of 18 years are not required to pay the fee. Big game hunters under 14 must pay the $10 and show proof of complete course (ARS 17-335). Cash, checks, and money orders are acceptable payment (sorry, no credit cards). All checks should be made out to the "Defense Accounting Office". Arizona licenses and tags are not available on YPG.

Hunters are required to obtain range clearance prior to entering hunting areas. Range clearance is obtained from **Range Control**. East Arm: **520-328-3333** and **520-328-2047** for all other areas. If you are calling after working hours the call will be transferred automatically to the **Police Desk** where you may also obtain range clearance. Clearances are valid only for the dates and areas they are issued. If you change areas, you must cancel your current clearance and obtain a new one. If you intend to remain overnight, please indicate this when you obtain your range clearance. **You are required to call in daily to renew your clearance when staying overnight.**

Upon leaving the installation, you must contact Range Control to cancel your range clearance. Failure to cancel your range clearance may result in an unnecessary rescue attempt and the loss of future hunting privileges on YPG.



For information or permits, please write to:

**Hunting Program**
**Yuma Proving Ground**
**CSTE-DTC-YP-CD-ES**
**Yuma, AZ 85365**

Call 1-877-788-HUNT for more information.

# YUMA PROVING GROUND HUNTING AREAS

## DESIGNATED HUNTING AREAS

**CIBOLA HUNTING AREA:** the area enclosed to the south by Cibola Lake Road and to the east, north, and west by the installation boundary. Check with range control daily for any possible drop tests if hunting on or near the La Posa Drop Zone, located on the La Posa Plain. Temporary roadblocks may occur on Cibola Lake Road for mission safety or security reasons.

**ARRASTRA HUNTING AREA:** the area enclosed to the east and north by the west fork of Yuma Wash and to the south and west by the installation boundary. **East Yuma Wash is closed.**

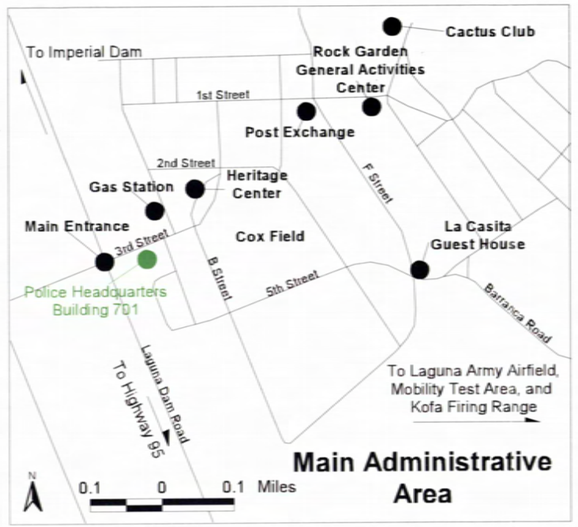
**MARTINEZ HUNTING AREA:** the area enclosed to the north and east by Martinez Lake Road, to the west by the installation boundary, and to the south by line of sight perpendicular from the south end of YPG's Phillips Drop Zone (or look for parachutist road sign). **No vehicle access is allowed;** park along Martinez Lake Road and walk to hunting sites.

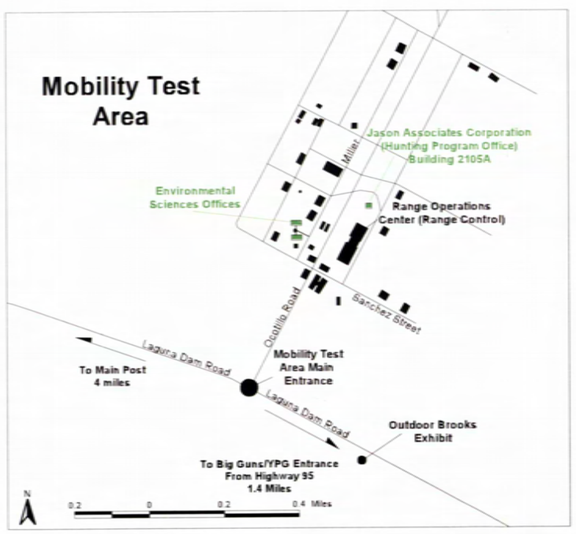
**HIGHWAY 95 HUNTING AREA:** the area enclosed to the north (milepost 72) and west by Highway 95, to the east by the installation boundary, and to the south by the main channel of Los Angeles Wash which crosses Highway 95 at or near milepost 60.

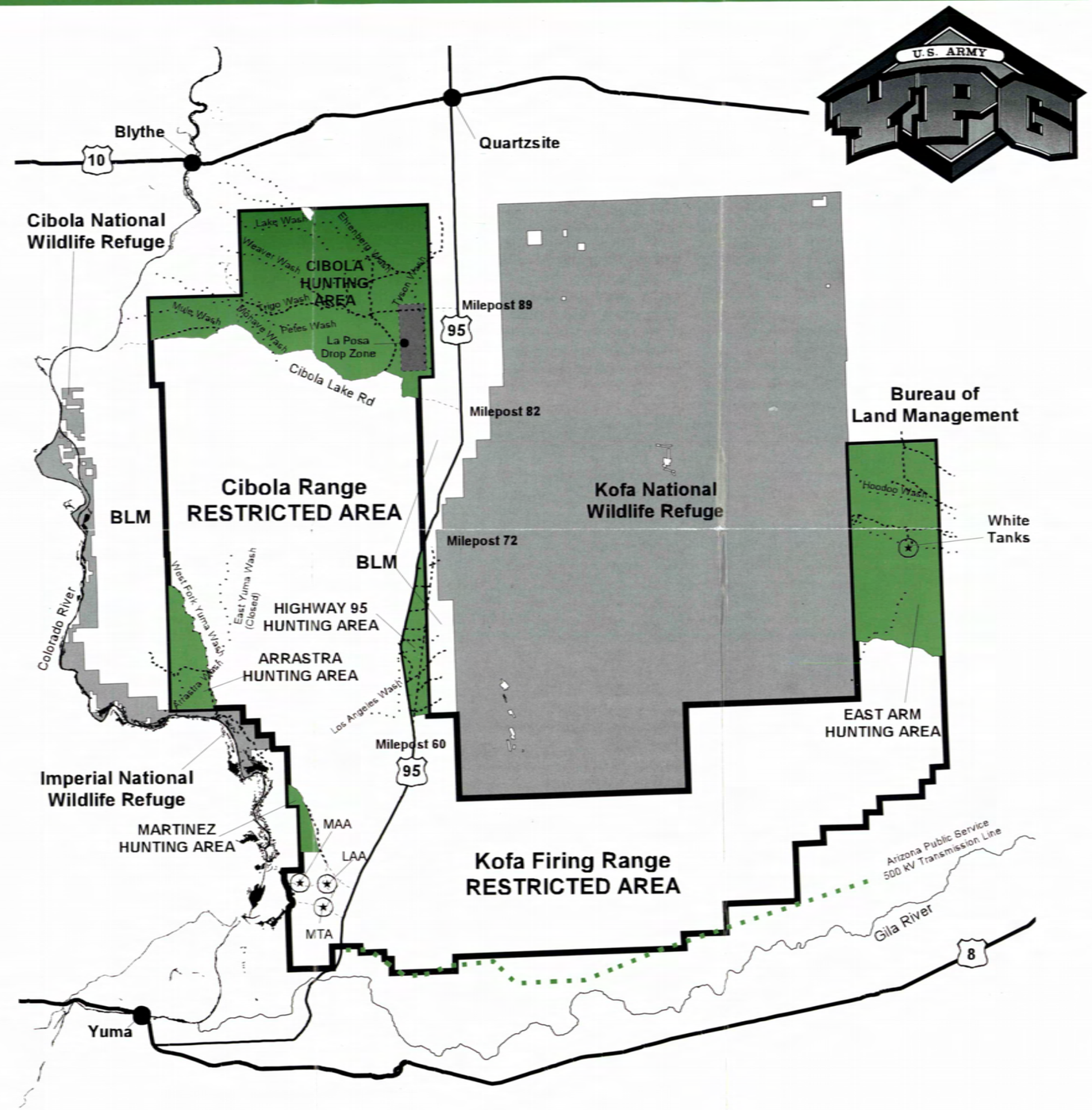
**EAST ARM HUNTING AREA:** the area enclosed to the east, north, and west by the installation boundary, and to the south by the road traversing the east arm between the Tank Mountains and Palomas Mountains. **Camping within ¼ mile of the White Tanks water hole is prohibited**.

**OTHER:** Hunting is permitted on the installation **south** of the Arizona Public Service Transmission Line wherever it crosses the southern boundary of the installation.

*If any of these locations are unclear, please contact the Hunting Program Office at 1-877-788-HUNT. The use of USGS topographic maps is highly recommended.



SERDP
Strategic Environmental Research and Development Program

# Particulate Matter Emissions Factors for Dust from Unique Military Activities

Compliance
CP-1399

## Background:

Dust emitted during Department of Defense (DoD) testing and training activities, such as fixed- and rotary-wing aircraft landing and take-off, tracked vehicle activity, and artillery back-blast, threatens the respiratory health of military personnel and urban populations adjacent to military installations. New regulations protecting visibility at Class I national parks, forests, and wilderness areas mandate reductions in particulate matter (PM) emissions. Demonstration of the impact of dust-raising activities on air quality and visibility requires knowledge of the emission potential, as characterized by emission factors of known precision and accuracy, to quantify these contributions to observed regional levels. Characterization of the chemistry, size distribution, and optical properties of the emissions are important for evaluating source apportionment, PM toxicity, and regional visibility degradation. By accurately characterizing and quantifying dust emissions from these unique sources, resources can be targeted to reduce contributions more effectively.

## Objective:

The objective of this project is to develop PM emission factors for military-unique activities in support of a documented database and dust dispersion model that can be used to estimate DoD impacts to air quality.

## Process/Technology Description:

Field measurement campaigns will be carried out to quantify dust emissions and to develop PM10 and PM2.5 emission factors for tracked military vehicles, rotary-winged aircraft, and artillery pieces for various unpaved surfaces. These campaigns will extend the understanding of important vehicle, activity, and surface characteristics that influence the magnitude of the observed emissions as well as support remote-sensing measurement campaigns being conducted by SERDP project CP-1400. Measured emission factors will be linked with indices of surface dust emission potential using a new portable wind tunnel and an on-vehicle measurement system, thereby creating a cost-effective mechanism to extend the use of the emission factors into different environments. A database will be developed from the field and laboratory measurements to characterize the chemical, physical, and optical properties of the dust emissions, which are important for assessing source contribution estimates and impacts on regional visibility degradation. This project will further develop a Geographic Information System (GIS)-based dust dispersion modeling system that integrates the newly developed emission factors into its user interface.

**Dust Emissions from a Tank Maneuver Activity**

## Expected Benefits:

This project will create a measurement framework and a modeling strategy to assess the contribution of various training activities in different environments to local and regional PM levels and to evaluate their potential to degrade visibility. The emission factor database can be used to estimate contributions of PM from unique DoD sources to regional PM levels, predict near-field PM concentrations from which decisions can be made regarding troop exposure to PM levels, and estimate short-range visibility levels that can affect vehicle and troop movement and safety. Development of the DUSTRAN model will enable estimates of local area emissions and the changes in emissions resulting from various activities and any mitigation efforts. The information, methods, and modeling products will be disseminated to the military and civilian user community to improve their abilities to make informed decisions and develop cost-effective solutions for enhancing military preparedness. (Anticipated Project Completion - 2009)

## Contact Information:

Dr. John A. Gillies
Desert Research Institute
Division of Atmospheric Sciences
2215 Raggio Parkway
Reno, NV 89512
Phone: (775) 674-7035
Fax: (775) 674-7060
E-mail: jackg@dri.edu

SERDP
Strategic Environmental Research and Development Program

# Development of Emission Factors for Dust Generated by Unique Military Activities

Compliance
CP-1400

## Background:

Particulate matter (PM) emissions from Department of Defense (DoD) training and testing activities are a top priority for DoD air quality compliance. PM generation activities include troop, vehicle, and aircraft movement; smoke and obscurant use; prescribed burning; and open burning/open denotation (OB/OD). New regulations require more stringent monitoring and control of PM2.5 and PM10 due to the potential human health risks and impaired visibility in the surrounding environment. PM in the atmosphere is used to track or fingerprint the sources of the material. With models, the particles' size distribution and composition can be used to describe the type of sources that emitted the particles. The emissions of PM by the DoD need to be quantified by developing mass emission factors for these activities, which can be readily used to create emission inventories and integrated as source-term components of dispersion models. Methods to quantify these emission factors need to be developed to allow for real time, in-situ, continuous, simple, and economical measurement and modeling of the plumes generated by the sources.

## Objective:

The objectives of this project are to: (1) measure mass PM to determine PM emission factors from DoD's PM generation sources; (2) develop and modify instrumentation, methods, and systems for the PM emission factor measurement, and (3) develop model components in coordination with SERDP project CP-1399.

## Process/Technology Description:

Researchers will identify, characterize, and monitor airborne PM2.5 and PM10 emissions during tracked vehicle maneuvers, fixed- and rotary-wing aircraft landings and taking-offs, and back blasts from artillery and mortar pieces. Innovative instrumentation that can be used successfully in the field to characterize ambient PM will be integrated and operated concurrently to quantify mass emission factors with real time, in-situ, and continuous measurements. The methods also need to be simple and economical for use with future applications. Open Path (OP) Fourier Transform Infrared (FTIR) and OP Ultraviolet-Visible (UV-VIS) spectrometers, LIDAR, and Aerodynamic Particle Sizers (APS) will be used as a complete set of in-situ and rapid response measurements to characterize the generation and removal of airborne PM caused by military operations. The variability and uncertainty of these emissions will be quantified. Electrostatic low-pressure impaction, aerosol filters, and ion chromatography also will be used to calibrate the in-situ measurements for site-specific conditions (i.e., optical, physical, and chemical properties of the PM). These results will be used to determine the mass of PM emitted from selected military operations depending on the type of source/activity, soil type, and meteorology. These mass emissions will be related to source operation and location to provide mass emission factors. Databases will be developed during this project and made available to installation personnel for site-specific applications.

**Helicopter-Generated Swirling Dust Clouds**

## Expected Benefits:

Through this project, DoD will have the capability to measure PM emission factors using real time, in-situ, continuous, simple and economical methods with an emphasis on remote sensing techniques. Results will be readily available to develop emission inventories for facilities and to develop more effective environmental compliance and PM control strategies. Benefactors include the U.S. Army, U.S. Air Force, National Park Service, U.S. Environmental Protection Agency, National Aeronautics and Space Administration, and private industries. In addition to cost savings, the PM data management and storage will be simpler than conventional measurement technologies. (Anticipated Project Completion - FY 2008)

## Contact Information:

Dr. Byung J. Kim
U.S. Army Engineer Research and Development Center
Construction Engineering Research Laboratory
2902 Newmark Drive
Champaign, IL 61826-9005
Phone: (217) 373-3481
Fax: (217) 373-3430
E-mail: Byung.J.Kim@erdc.usace.army.mil

REVISED 11/05/04

# YUMA COUNTY WATER USERS' ASSOCIATION

MAILING ADDRESS:
POST OFFICE BOX 5775
YUMA, ARIZONA 85366-5775
OFFICE: (928) 627-8824

SHIPPING ADDRESS:
3800 WEST COUNTY 15TH STREET
SOMERTON, ARIZONA 85350
FAX: (928) 627-3065

EMAIL ADDRESS:
OFFICE@YCWUA.ORG


cc: [illegible]

November 18, 2003

ADEQ
AIR QUALITY DIVISION
03 NOV 21 AM 10:44

Ms. Theresa A. Pella
Environmental Program Manager
Air Quality Planning Section
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ 85007

Subject: PM-10 Meeting in Yuma on November 17, 2003

Dear Ms. Pella:

As you requested in the subject meeting regarding dust on the East Main Canal and the prevention of unauthorized use of the canal roadways, provided herewith is a copy of the original encroachment license (#001-95-002) issued to the City of Yuma which while providing access to the canal for a bike path and linear park, also provided for the patrolling by the City to prevent unauthorized use on both sides of all canals and drains on which such use is allowed.

Note particularly paragraph 9 of Attachment 1 to the license (also listed as Exhibit A to the City of Yuma Council Resolution Number R95-062). Further enclosed is the Association letter to the City of Yuma, dated May 29, 1997, specifically providing an amendment to the encroachment license for the East Main Canal Multi-Use Path from City 8th Street to City 21st Street.

Regarding the other area which was discussed at a previous meeting, the West Main Canal west of Avenue C, the canal banks are signed denoting no unauthorized use and the north side of the canal is barricaded. It is not feasible operationally to barricade both sides of the canal.

If you have any questions on the above, please ask.

Sincerely,

Donald R. Pope, P.E.
Manager

cc: Mr. Greg Ferguson
SW Arizona Community Liaison, Southern Regional Office
Arizona Department of Environmental Quality
155 West 14th Street, Suite A
Yuma, AZ 85364

# YUMA COUNTY WATER USERS' ASSOCIATION

MAILING ADDRESS:
POST OFFICE BOX 5775
YUMA, ARIZONA 85366-5775
OFFICE: (520) 627-8824

SHIPPING ADDRESS:
3800 WEST COUNTY 15TH STREET
SOMERTON, ARIZONA 85350
FAX: (520) 627-3065


May 29, 1997

Ms. Joyce Wilson, City Administrator
City of Yuma
180 West First Street
Yuma, AZ 85364

Attn: Mr. Todd Girdler

Subject: Amendment to Yuma County Water Users' Association (Association), Valley Division, Yuma Project, Encroachment License No. 001-95-002 to City of Yuma (City) for City of Yuma Linear Parks and/or Pathways, Phase 1 of the East Main Canal Multi-Use Path from City 8th Street to the Maxey Check at About City 21st Street

Dear Ms. Wilson:

The subject license was executed by the City on December 18, 1995, approved by the Association on January 2, 1996 and additionally approved by the United States Bureau of Reclamation (USBR) by their letter of October 17, 1996 (copy attached). Paragraph 14.a.(3) of the license required that specific approval by the Association be given to the final construction plans and specifications for each phase of work.

As the construction plans and specifications for Phase 1 of the East Main Canal Multi-Use Path from City 8th Street to the Maxey Check at About City 21st Street are as presented in the Design Concept Report conceptually approved by the Association and the USBR, approval of these final construction plans, Sheets 1 through 58 bearing a final approval date of February 27, 1997 by the Arizona Department of Transportation (ADOT), is provided herein.

By copy of this letter amendment, a copy of the final construction plans are provided the USBR for their records. We look forward to working closely with you and with ADOT and your contractor in making the East Main Canal Multi-Use Path and Linear Park a real asset to the community.

Sincerely,

Donald R. Pope, P.E.
Manager

Enclosures (as)

cc: Area Manager, Yuma Area Office, USBR

United States Department of the Interior

BUREAU OF RECLAMATION
Yuma Area Office
P.O. Box D
Yuma, Arizona 85366

IN REPLY REFER TO:
YAO-2230
LND-6.00

OCT 17 1996

RECEIVED
OCT 18 1996
YUMA COUNTY
WATER USERS' ASSN.

Mr. Donald R. Pope
Manager
Yuma County Water Users'
Association
P.O. Box 5775
Yuma AZ 85366

Subject: Yuma County Water Users' Association Encroachment License No. 001-95-002 - City of Yuma (City) Multi-Use Pathway Project on the East Main Canal - Yuma Project, Valley Division, Arizona

Dear Mr. Pope:

This is in reference to your letter of January 2, 1996, which transmitted the subject license to this office for our review and approval. We understand that the license allows the City to construct, operate and maintain a multi-use pathway along the East Main Canal rights-of-way from First Street to 40th Street.

Based on our review of the documentation submitted, we have no objection to the issuance of the license for the stated purpose. If we can be of further assistance, please contact Ms. Mary Zavala of our Lands Office at 520-343-8152.

Sincerely,

for Dan Cleamen (Acting)

Russell W. Reichelt
Chief, Technical Services
Division

Exhibit A for City of Yuma Council Resolution Number R95- 062

LICENSE NO. 001-95-002

YUMA COUNTY WATER USERS' ASSOCIATION
P.O. BOX 5775
YUMA, AZ 85366-5775

LICENSE FOR ENCROACHMENTS AND CONSTRUCTION, INSTALLATION, OPERATION AND MAINTENANCE OF FACILITIES

LICENSEE: **CITY OF YUMA, ARIZONA**

SERIAL NO(S): **N/A** DIVISION: **N/A**

LOCATION: **WITHIN YCWUA CANAL AND DRAIN RIGHTS-OF-WAYS**

1. Authority. Pursuant to the provisions of United States Department of the Interior, Bureau of Reclamation, Public Notice No. 77 dated February 12, 1960 (entitled "Public Notice Announcing Procedures for Processing Water Right Applications and Certain Other Contracts"), the Yuma County Water Users' Association (Licensor) licenses the above named Licensee to construct, install, operate and maintain facilities encroaching upon rights-of-way of the United States forming a part of the Valley Division of the Yuma Project, a reclamation project constructed under the laws of the United States.

2. Description of Encroachment. The encroachment shall be constructed and operated only under the terms and conditions of this license and is specifically described as follows:

**CITY OF YUMA LINEAR PARKS AND/OR PATHWAYS**

3. Nature of Right Conferred: Rights of Licensor.

a. The encroachment and consent to construct contained in this license relate only to the rights of the Licensor by virtue of its contractual relationship with the United States Department of Interior, Bureau of Reclamation (USBR) for the maintenance and operation of Federal facilities constituting the Valley Division of the Yuma Project. The lands to which this license pertains are not owned by the Licensor. Nothing in this license constitutes a representation by the Licensor of any authority to grant a right-of-way across any property owned or controlled by any person other than the Licensor.

b. Any right granted to the Licensee hereunder shall be inferior to the right of the Licensor to operate and maintain project irrigation facilities and to reconstruct, repair or improve

any works within said rights-of-way without the consent of the Licensee and without liability for damages caused by any non-negligent act of the Licensor to any facilities or property owned or controlled by the Licensee.

c. Except in the case of emergencies, and when deemed appropriate by the Licensor, the Licensor will provide the Licensee with notice of its intent to construct, repair or improve any works within the portion of the right-of-way wherein the Licensee is encroaching. Notwithstanding the foregoing sentence, the Licensor shall give the Licensee prior notice of its intention to perform any work which will require the closing of a public thoroughfare under the Licensee's jurisdiction, or the interruption of utility services operated or controlled by the Licensee.

d. Notification may be either written or oral and shall be given by the Licensor as soon as practicable. The failure of the Licensor to give the Licensee notice in any case shall not subject the Licensor to any liability whatsoever.

4. Administrative Fee. Upon submission of this license to the Licensor, the Licensee agrees to pay the Licensor an administrative fee in the amount of $250.00. Of this amount, $200.00 is non-refundable and shall be retained by the Licensor as compensation for costs incurred in processing and administering this license. The remaining $50.00 shall be paid to the USBR as compensation for their costs incurred pursuant to Paragraph 9. In the event this license is not forwarded to the USBR for approval, the $50.00 shall be refunded to the Licensee.

5. Assignments and Sublicenses.

a. The Licensee may not, without the prior written consent of the Licensor, assign or otherwise transfer any right created by this license. The Licensee shall not authorize or permit others to utilize any facilities or structures or right-of-way area which are the subject matter of this license in any way not expressly authorized by this license in writing or by the Licensor.

b. Any violation of this paragraph shall, at the option of the Licensor, constitute grounds for immediate termination of the license without further notice. Upon an election to terminate, any facilities constructed by the Licensee shall be removed in the manner provided in paragraph 11 of this license.

c. Nothing in this paragraph prohibits the Licensee from utilizing the services of a person or entity not a party to this License for the purpose of constructing the encroachment herein contemplated.

6. Licensee's Liability. The Licensee shall be liable for all damages to the property of the United States, the Licensor, or any third party or parties caused by reason of the exercise of the Licensee of any right conferred by this license.

7. Hold Harmless Agreement. To the maximum extent permitted by law, the Licensee agrees to hold forever harmless, indemnify and defend the Licensor and the United States Government, together with all of their respective officers, employees, successors and assigns from any and all claims related to or any way connected with the construction, operation or maintenance of the facilities described in this license. The Licensee's obligation hereunder includes, but is not limited to, the obligation to pay the Licensor attorney fees and costs incurred in connection with any claim without regard to whether such claim results in litigation.

8. Duration of License. This license shall continue in effect so long as the Licensor determines, in its sole discretion, that the same is expedient and is not detrimental or incompatible with the proper care, operation and maintenance of the Valley Division and its works.

9. Additional Approval.

a. This license and consent to encroachment are subject to the approval of:

Area Manager, Yuma Area Office
United States Bureau of Reclamation
P.O. Box D
Yuma, AZ 85366

and the Licensee shall take no action nor commence any activities hereunder until such consent is approved as provided in this paragraph.

b. A copy of this license with all attachments shall be mailed by the Licensor to the Area Manager at the above address on the next working day after the date it is fully executed by the Licensee and the Licensor. The license shall be deemed approved by the Area Manager unless the same is disapproved in writing (with a copy to the Licensor) within twenty (20) working days after the date it is fully executed.

10. Notification of Commencement of Work. The Licensee agrees to provide the Licensor with two (2) working days notification prior to the actual encroachment and commencement of work. Failure to provide said notification can be sufficient cause to terminate this license and require the removal of facilities in the manner provided in Paragraph 11 of this license.

11. Termination.

a. This license and consent to encroach are subject to termination by the Licensor or the United States on thirty (30) days notice all as provided in Public Notice No. 77. The Licensor agrees, however, that, except in the case of emergencies or in cases where the Licensor is requested or directed by the United States to exercise the aforesaid termination provision, this license shall not be terminated on less than six (6) months prior written notice to the Licensee.

b. In the event this license is terminated, the Licensee agrees to remove all encroachments constructed hereunder within one hundred eighty (180) days after the date of the notice of termination and agrees to return the rights-of-way affected by this license to their original condition (or in a condition acceptable to the Licensor) at its sole expense and at no expense to the Licensor or the United States.

c. If the Licensee fails to remove its encroaching facilities as provided above, the Licensor may, without liability for damages to the Licensee, remove such facilities without further notice. The Licensee agrees to pay the Licensor the reasonable cost of the removal of its facilities and the cost of restoring the rights-of-way to their original condition. Payment shall be made by the Licensee to the Licensor within thirty (30) days after the receipt of a statement of costs from the Licensor.

12. Consent to Encroachment: Extent of Consent.

a. The Licensor, for itself and on behalf of the United States, consents to the Licensee's encroachment upon Federal rights-of-way as described in this license and its attachments.

b. Nothing in this license constitutes a grant or other disposition of any land or interest in land which is owned or otherwise occupied by the United States. The Licensee shall not authorize or permit encroachment of any kind by persons not parties to this license or permit the planting of trees upon the encroachment area or otherwise utilize the encroachment area in any manner which may, in the opinion of the Licensor, endanger or interfere with the proper use and operation of any works or property of the United States or the Licensor.

c. Any violation of this paragraph shall constitute grounds for immediate termination of this license without further notice. Upon such termination, all encroaching facilities constructed hereunder shall be removed in the manner provided in paragraph 11 of this license.

13. Plans and Specifications: Construction. All structures constructed under this license shall be erected in accordance with plans and specifications approved in advance by the Licensor as herein provided and shall be erected in such a manner as not to obstruct in any manner the flow of water in the canals, laterals or drain ditches of the United States or the Licensor or to interfere in any manner whatsoever with the construction, operation and maintenance of any part of the project by the Licensor or the United States.

14. Specifications and Conditions.

a. The encroachment and the erection of structures of facilities under the terms of this license shall be in accordance with the plans, specifications and conditions described below:

1) **"GENERAL CONDITIONS AND SPECIFICATIONS FOR CITY OF YUMA," PROVIDED HEREWITH AS ATTACHMENT 1 , PROVIDES THE GENERAL TERMS AND CONDITIONS FOR THIS AND SUBSEQUENT PHASES OF LINEAR PARKS AND/OR PATHWAYS.**

2) **CONCEPTUAL APPROVAL IS PROVIDED FOR THE "FEASIBILITY STUDY AND DESIGN CONCEPT REPORT FOR THE EAST MAIN CANAL MULTI-USE PATH, 1ST STREET TO 40TH STREET," PROVIDED HEREWITH AS ATTACHMENT 2.**

3) **SPECIFIC APPROVAL FOR EACH PHASE OF WORK ON THE EAST MAIN CANAL MULTI-USE PATH AND FOR OTHER LOCATIONS OF LINEAR PARKS AND/OR PATHWAYS LISTED IN PARAGRAPH 2 OF ATTACHMENT A SHALL BE PROVIDED AS AMENDMENTS TO THIS LICENSE UPON SUBMISSION AND APPROVAL OF FINAL CONSTRUCTION PLANS AND SPECIFICATIONS. CONSTRUCTION SHALL OCCUR ONLY AFTER SAID APPROVAL(S).**

All of the foregoing plans, specifications and conditions are made a part of this license and are subject to the prior approval of the Licensor.

b. Any proposed variation in construction or operation of encroaching facilities from approved plans and specifications must be approved in writing by the Licensor and the Licensee before construction or operation. If any proposed variation is, in the opinion of the Licensor, substantial in nature, the same must also be approved by the USBR in the manner provided in Paragraph 9.

15. Increased Operation and Maintenance Expenses.

a. If the construction and placement of facilities by the Licensee under the terms of this license increases the costs to the Licensor, or its successors, of operation and maintenance functions on the right-of-way herein described, it is agreed that the amount of any such increase shall be paid by the Licensee.

b. Payments under the terms of this paragraph shall be made monthly, or at such other time or times as the Licensor may elect, and shall be made on the basis of statements furnished by the Licensor to the Licensee describing with reasonable particularity the nature and extent of all charges claimed.

c. The amount of any increased operation and maintenance charges payable by the Licensee under this paragraph shall be determined by the Licensor. Any dispute between the Licensor and the Licensee as to the appropriateness or amount of any increased operations and maintenance charge claimed by the Licensor shall be resolved by the Area Manager, Yuma Area

Office, USBR. The determination of the Area Manager shall be conclusive upon both parties, unless either party determines to bring a cause of action to resolve the dispute.

16. Attorney Fees. If either party commences a legal action to enforce any term or condition of this license, it is understood and agreed that the prevailing party in any such litigation shall be entitled to recover a reasonable sum as and for attorney fees, said sum to be fixed by the Court. The provisions of this paragraph are supplemental to the provisions of Paragraph 7.

17. Covenant Against Contingent Fees.

a. The Licensee warrants that no person or agency has been employed or retained to solicit or secure this license upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial agencies maintained by the Licensee for the purpose of securing business.

b. Any breach of the provisions of this paragraph shall, at the option of the Licensor, constitute grounds to terminate this license without further notice and without liability for damages of any type.

c. In the event of a termination under the provisions of this paragraph, the Licensee agrees to remove all encroaching facilities in the manner provided in Paragraph 11 of this license.

Licensee:

Dated: 12/18/95

By _____
It's City Administrator
Representing:
City of Yuma
180 W. First Street
Yuma, AZ 85364
(Address)
(Licensee sign 3 copies)

ATTEST:
_____
City Clerk

Approved:

Dated: 1/2/96

By _____
Manager, YUMA COUNTY WATER USERS' ASSOCIATION

Copy to: Area Manager
Yuma Area Office
United States Bureau of Reclamation
P.O. Box D
Yuma, AZ 85366

EXHIBIT A OF CITY OF YUMA COUNCIL RESOLUTION NUMBER R95-062 (continued)

ATTACHMENT 1 OF YUMA COUNTY WATER USERS ASSOCIATION ENCROACHMENT LICENSE NUMBER 001-95-002

General Conditions and Specifications for
City of Yuma

1. DESIGN CRITERIA AND APPROVAL

The Association shall approve the design and construction plans for any linear park and/or pathway project prior to the City distributing a request for construction bids for such projects. The encroachment license issued for any project will incorporate by reference the design and construction plans approved by the Association.

In general, the design and construction of linear parks and/or pathways shall recognize the need for the Association to operate and maintain canals or drains through the use of motorized vehicles and equipment.

The City will only install (via City Staff or by contract) landscaping that has been reviewed and approved by the Association and contained within the City Maintenance Area specified in the plans and encroachment license for each linear park/pathway project.

The City shall provide all coordination, including blue stake requirements, with all utilities and other encroachment licensees for both design and construction of City linear parks and/or pathways.

2. LOCATIONS OF LINEAR PARKS AND/OR PATHWAYS

In general, linear parks and/or pathways shall be located on the side of any canal or drain that is less traveled and less used for operation and maintenance purposes by the Association.

Accordingly, linear parks and/or pathways shall be located on the east side of the East Main Canal (1st to 40th Street), the Maxey Check Structure, the south side of the West Main Canal (Yuma Main Canal to Thacker Canal), the east side of the Thacker Canal (West Main Canal to 24th Street), either side of the Yuma Main Canal (1st Street to the Colorado River and/or to a connection with the planned Colorado River Multi-Use Pathway on the levee road), within the right-of-way for the buried Maxey Canal (East Main Canal to Avenue B), and either or both sides of the Central Drain and Stubs (between 16th and 24th Streets, and between Avenues B and D). These are to be the locations of these linear parks/pathways whenever this can be done while meeting City Standards for pathway and/or linear park design. These locations are subject to future expansion as land adjacent to project rights-of-ways change from agricultural to urban uses.

Notwithstanding the above, the location of each linear park and/or

pathway project shall be specified in separate construction plans for each linear park/pathway project which are produced by the City and then reviewed and approved by the Association.

As the final construction plans for the linear park/pathway projects named in this encroachment license are completed by the City and approved by the Association they are considered to become part of this encroachment license by reference.

It is recognized that it is the City's intent to build large linear park/pathway projects in phases to match available funding and each phase of these large projects may be considered to be a separate project for the purpose of completing final construction plans and having such plans approved by the Association. The decision of whether a large project that is planned to be constructed in phases will also have its final design work completed in phases will be made by the City.

3. ASSOCIATION MAINTENANCE

The Association's operation and maintenance of its canals and drains shall have priority over any other uses.

The Association's Manager, or Representative, shall notify the City Public Works Department at least 48 hours in advance of any Association scheduled maintenance operation or improvement that will block any point along a linear park and/or pathway for more than three hours except in case of an emergency or urgent unscheduled work.

The Association shall be solely responsible for the operation and maintenance of canals and drains (to include repairs to the inside slopes after a storm), canal and drain structures, gates and valves, all appurtenances thereto and aquatic and terrestrial vegetation control on the inside slopes of canals and drains.

4. THIRD PARTY CONSTRUCTION AND MAINTENANCE

Third party construction and maintenance on canal and drainage rights-of-ways by Yuma County, Yuma County Flood Control District, all utilities, ADOT, schools, private contractors/developers and others shall require the third party to provide coordination with the City of Yuma in areas where existing linear parks and/or pathways are affected. Such coordination should occur in a timely manner and with no less than 30 days prior notice, and advisement of such coordination shall be provided to the Association. Notice of commencement of work shall be given by a third party to the City of Yuma with five working days notice prior to actual construction and/or disruption of City facilities.

This requirement for third party coordination and advisement shall in no manner hinder projects deemed by the Association as necessary or beneficial to the operations and maintenance of the project canals and drains and/or to the well being of the Association landowners. Accordingly, final approval of such projects rests solely with the Association. It is

the intent herein to establish that construction and maintenance by third parties shall include the restoration of City facilities, as well as Association facilities, to a condition equal to their original condition, such restoration to be accomplished in a timely manner, with no or minimal disruption of use of both Association and City facilities.

5. CITY MAINTENANCE

The City shall be solely responsible for the maintenance and use of linear park and/or pathway related pavements, signs, drainage (to include necessary repairs after a storm), landscaping, lighting, or other recreational facilities installed along any canal or drain within a City Maintenance Area specified in the final construction plans approved for each project. Such Maintenance Area is intended to be that area physically occupied by the linear park and/or pathway project.

Within the approved Maintenance Area the City shall provide control of noxious weeds or brush by the timely use of herbicides, mowing, chopping or hoeing and provide rodent control. Any pesticide use shall be approved by the Association's Manager prior to application and shall be applied in accordance with its label.

The Association reserves the right to perform any maintenance necessary to protect the integrity of the canals and drains, to include providing on a reimbursable basis any maintenance requested by the City or not performed in a timely manner by the City, after having provided the City adequate notice.

6. CITY ASSISTANCE FOR ASSOCIATION MAINTENANCE OPERATIONS

The City shall provide to the Association, at no charge to the Association, the use of three dump trucks and their operators (unless fewer are specified) for up to 10 normal working days per calendar year for a total of 30 dump truck days annually to assist the Association in the maintenance of drains and/or canals adjacent to any City linear parks and/or pathways. The City supplied dump trucks shall not be used in an unsafe manner or used to transport any material requiring special handling (e.g., hazardous, dangerous, special waste). The City supplied dump trucks shall not be used to transport materials outside the boundaries of the Association. The City will not be responsible for any tipping fees or other fees associated with the disposal and/or transportation of loads carried for the YCWUA. The Association shall request the use of these trucks at least 14 calendar days prior to the date required, except for emergencies.

In the event the specified maximum dump truck days has been provided, the Association may continue to perform necessary additional excavation and place such material in either additional trucks provided by the City, or along the canal/drainage rights-of-ways. Further, it is recognized that as additional canals and drains are utilized for linear parks and/or pathways, the quantity of dump truck assistance provided by the City will be negotiated.

7. REPAIR OF LINEAR PARK AND/OR PATHWAY FACILITIES

In the event the Association must repair or reconstruct any of its irrigation or drainage facilities and such construction work damages the City's linear park and/or pathway facilities, then it shall be the City's sole responsibility to repair such linear park and/or pathway facilities. The Association shall exercise reasonable care to avoid damage to the City's linear park and/or pathway facilities when the Association undertakes construction work.

8. HOLD HARMLESS AGREEMENT

To the maximum extent permitted by law, the City shall hold forever harmless, indemnify and defend the Association, together with all of the Association's officers, employees, successors and assigns from any and all claims resulting from the City's negligence in the design, construction, operation, maintenance or use of linear parks and/or pathways, and appurtenances thereto, as installed under an Association encroachment license issued to the City.

9. UNAUTHORIZED USE OF LINEAR PARKS AND/OR PATHWAYS

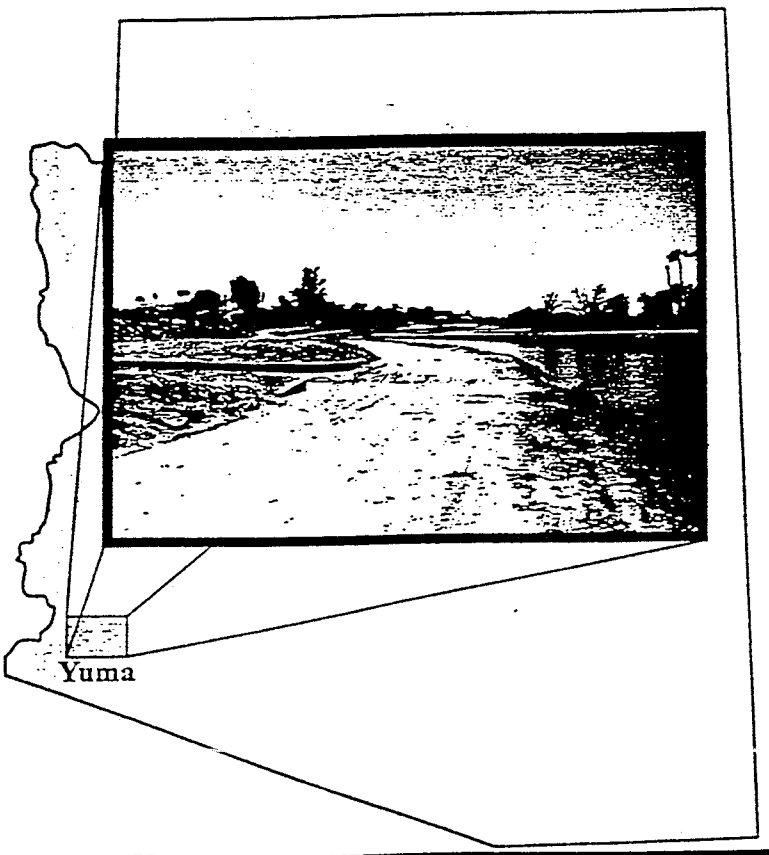
The City and the Association agree that it is not in the best interest of either party or the public that unauthorized motor vehicles are allowed to use any linear park and/or pathway or banks opposite to the same. Consequently, the City shall provide designs, devices and signs to limit the access of unauthorized motor vehicles onto any linear park and/or pathway. The details of access control shall be specified and approved as part of the final construction plans for each linear park and/or pathway project.

The City agrees to provide a program to include patrolling by the City Police Department to prevent unauthorized motorized vehicle use on both banks of the canals and drains which are adjacent to a City linear park and/or pathway.

The Association agrees to work in conjunction with the City to discourage canal and drain right-of-way access by unauthorized motor vehicles by the use of signage and other means.

10. CROSSING OF MAJOR STREETS BY ASSOCIATION EQUIPMENT

The City and the Association agree that it is in the best interests of both parties for Association motorized equipment to cross roadways in a safe and efficient manner. Both parties also recognize that such crossings must also be accomplished in a cost-effective manner that limits the disruption of vehicular traffic on major streets. Consequently, the City shall propose designs and/or devices to provide for such safe and efficient crossings by Association motorized vehicles. The details of road crossings shall be specified and approved as part of the final construction plans for each linear park and/or pathway project.




# CITY OF YUMA
# PLANNING DIVISION

ATTACHMENT A OF
YUMA COUNTY WATER USERS
ENCROACHMENT
LICENSE # 001-95-002

# FEASIBILITY STUDY AND DESIGN CONCEPT REPORT for EAST MAIN CANAL MULTI-USE PATH

1st Street to 40th Street
Yuma, Arizona
CIP No.: 5.9515

Prepared for the City of Yuma by:

Harding Lawson Associates
Infrastructure, Inc.
ALPHA Engineering Group

November 1995

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# APPENDIX I

## Candidate Best Available Control Measures

# Arizona Department of Environmental Quality
# Air Quality Exceptional and Natural Events Policy
# $PM_{10}$ Best Available Control Measures
# June 5, 2001

Note: This list was compiled to comply with Arizona's Air Quality Exceptional and Natural Events Policy (April 28, 1999). It is not intended to be exclusive, but provide a starting point for air pollution control agencies to determine appropriate BACM, to be done on a case-by-case basis for source categories.

| | Area Sources Control Measures | Reference |
|---|---|---|
| 1 | 20% Opacity Limit for Fugitive Dust Sources | Maricopa County Rule 310, revised 02/16/00 |
| 2 | Dust Control Plans for earthmoving operations ≥ 0.10 acre. Operations may include grading, leveling, excavating, back filling, soil mulching, etc. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 3 | Dust Control Measures for Open Storage Piles (any accumulation of bulk material with ≥5% silt content with minimum height of 3 feet at any point and total surface area of 150 sq. feet or more). | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 4 | Stabilize Unpaved Haul Roads, and Parking or Staging Areas. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 5 | Paving, Vegetating, and Chemically Stabilizing Unpaved Access Points Onto Paved Roads (especially adjacent to construction sites). | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 6 | Dust Control Measures for Unpaved Parking Lots with ≥10 vehicle capacity. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 7 | Dust Control Measures for Open Areas, Vacant Lots or Disturbed Surface Areas ≥.10 acre. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |

| Area Sources Control Measures | | Reference |
|---|---|---|
| 8 | Control of Emissions Due to Material Transport (e.g., Truck Covers, Freeboard Requirements, Material Dampening, or Responsibility for Clean Up of Spills). | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 9 | Operate water application system while conducting earthmoving operations on disturbed surface areas ≥1 acre. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 10 | Dust Control Measures for Unpaved Roads and Alleys ≥150 average vehicles/day (e.g., Paving, Chemically Stabilizing, or Watering). | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 11 | Traffic Reduction/Speed Control Plans for Unpaved Roads. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 12 | Restrict access to open areas and open lots by installing signs or physical barriers | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 13 | Use of PM10 Less Polluting Street Sweepers | South Coast Air Quality District Rule 1186.1 |
| 14 | Curbing, Paving, or Stabilizing Shoulders on Paved Roads by Public Entities Within Own Jurisdictions (Includes Painting Strip on Outside of Travel Lane). | MAG Feb. 2000 PM10 SIP (city and ADOT commitments) |
| 15 | Restrictions on Use of Blowers for Landscaping Maintenance. | MAG Feb. 2000 PM10 SIP (city commitments) |
| 16 | Routine Sweeping or Cleaning of Paved Roads. | MAG Feb. 2000 PM10 SIP (county and local ordinances) |
| 17 | Prohibit the Installation or Construction of a Fireplace or Wood Stove Unless it is a Fireplace with a Permanently Installed Gas or Electric Log Insert or Fireplace or Wood Stove that Meets EPA Standards. | MAG Feb. 2000 PM10 SIP (city and county commitments) |
| **Area Sources Control Measures** | | **Reference** |

| | | |
|---|---|---|
| 18 | Vegetative and Chemical Stabilization and Construction of Windbreaks on Public Property next to Open Land/Lots. | SB 1427 (State Land Dept. Dust Abatement and Management Plan) |
| 19 | Agricultural Best Management Practices. | ADEQ Rule - AAC R18-2-610 and 611. |
| 20 | Traffic Rerouting or Rapid Clean-Up of Temporary Sources of Dust on Paved Roads (e.g., Due to Spills or Runoff). | EPA RACM Guidance (1991) |
| 21 | Replace Crack Seal Blower Equipment with Vacuum Systems as Equipment is Retired | ARS §§ 9-500.04 and 49-474.01 |
| 22 | Episode Curtailment Program for Residential Wood Combustion (high pollution advisory days). | Maricopa County Woodburning Restriction Ordinance |
| **Mobile Sources** | | **Reference** |
| 1 | Advertised Number to Report Gross Emitting Vehicles. | MAG Feb. 2000 PM10 SIP( Maricopa County Smoking Vehicle Hotline Program) |
| 2 | Replace/Retrofit Emission Control Devices on Diesel Powered Vehicles (ex: Particulate Filters). | Houston 2000 Ozone SIP |
| 3 | Voluntary Vehicle Repair and Retrofit Program Diesel Powered Vehicles. | SB 1427 (1998) and ARS § 49-474.03 |
| 4 | Snap Acceleration Test for Heavy-Duty Diesel Vehicles. | ARS § 49-542(F)(2)(d) |
| 5 | Require Pre-1988 Heavy-Duty Diesel commercial Vehicles to meet 1988 Federal Emission Standards. | ARS § 49-542(F)(7) |
| **Mobile Sources** | | **Reference** |
| 6 | Limit Sulphur Content of Diesel Fuel Oil to 500 ppm (on and off road). | ARS § 41-2083(J) |
| **Industrial Sources** | | **Reference** |
| 1 | 20% Opacity Limit | Maricopa County Rule 300, revised 02/07/01. |

| | | |
|---|---|---|
| 2 | Paving, Vegetating, and Chemically Stabilizing Unpaved Industrial Site Access Points Onto Paved Road. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 3 | Dust control plans for industrial sites. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 4 | For utilities located inside thePM10 nonattainment area, restrict vehicular speeds to 15 mph and trips to no more than 20/day on easement, rights of way and access roads. | Maricopa County Rules 310 and 310.01, revised 02/16/00. |
| 5 | $PM_{10}$ Best Available Control Technology (BACT) Determinations for Stationary Sources. | Subsection F of Addendum to General Preamble for Implementing Title I (59 FR 41998, August 16, 1994) |
| 6 | Fugitive Dust Control Measures for Copper Mining Facilities<br>for crushing, screening, loading/unloading, handling operations and storage piles, tailing, and haulroads/roadways. Measures may include application of water, wetting agents or dust suppressants, minimizing material drop, wind break and fences, enclosures, skirting, maintaining inherent moisture content, limit vehicle access and speed, covering or capping. | Draft ADEQ Title V permits |

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# APPENDIX J

## 1992 EPA Correspondence

## 1994 EPA SIP Completeness Determination

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

May 14, 1992

OFFICE OF THE
REGIONAL ADMINISTRATOR

Office of Assistant Director
Office

Ma

Honorable Fife Symington
Governor of Arizona
1700 West Washington
Phoenix, Arizona 85007

Dear Governor Symington:

The purpose of this letter is to inform you that, pursuant to sections 110(k) and 179(a)(1) of the Clean Air Act (CAA) as amended in 1990, the United States Environmental Protection Agency (EPA) is today making a finding that the State of Arizona has failed to submit a required complete PM-10 (particulate matter 10 microns or less in size) State Implementation Plan (SIP) for the Yuma and Rillito planning areas, as described in 56 Federal Register 56694, 56719-56720 (November 6, 1991).

EPA received the PM-10 SIPs for Yuma and Rillito on November 15, 1991. As required by the Act, EPA has reviewed the SIP submissions to determine whether they meet the completeness criteria. See 40 CFR Part 51, Appendix V, as amended on August 26, 1991. We have concluded that the plan submissions do not meet the completeness criteria in the following respects:

1) Insufficient documentation exists in the Yuma plan to justify eliminating certain ambient air quality data from use in the modeling analysis. This information is needed to support the demonstration of attainment contained in the plan. See section 2.2(e) of the completeness criteria. Additionally, the plan lacks evidence that the State has the necessary legal authority under State law to implement the plan. See section 2.1(c) of the completeness criteria.

2) The Rillito plan does not contain an inventory of point, area or mobile source emissions. See section 2.2(c) of the completeness criteria.

Beyond these completeness issues, there are significant approvability issues that we believe should be addressed before the State re-submits the plans in accordance with the completeness criteria. We will contact your state air quality staff to identify and assist in correcting these additional deficiencies in order to ensure EPA approval of the plans upon re-submission.

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In accordance with section 179(a) of the Act, if within 18 months of this letter the state of Arizona does not re-submit plans that meet the completeness criteria, EPA will use its authority under sections 179 and 110(m) of the Act to impose at least one sanction identified in section 179(b) on the Yuma and Rillito planning areas. If the corrective action is not taken within 24 months of this letter, EPA will impose the second sanction identified in section 179(b). Additionally, section 110(c) of the Act provides that EPA promulgate a Federal Implementation Plan (FIP) 24 months after our finding of incompleteness unless the Agency has approved a plan by the time.

I want to assure you that EPA will not impose any sanctions or promulgate a FIP in response to this finding until after the State of Arizona and others have had an opportunity to comment on Federal Register notices proposing these actions.

I look forward to working closely with your staff to ensure that the Act's requirements are met in a timely and effective manner without adverse consequences. If you have any questions concerning this letter, please contact me or David P. Howekamp, Director, Air and Toxics Division, at (415) 744-1219.

Sincerely,

John Wise

for Daniel W. McGovern
Regional Administrator

cc: Edward Z. Fox, Director
Arizona Department of Environmental Quality

✓Nancy C. Wrona, Assistant Director for Air Quality
Arizona Department of Environmental Quality

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

September 1, 1994

Edward Z. Fox
Director
Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012

Dear Mr. Fox:

On July 12, 1994, you submitted a revision to the Arizona State Implementation Plan for achieving and maintaining the National Ambient Air Quality Standards for particulate matter 10 microns or less in aerodynamic diameter ($PM_{10}$). This revision consists of the Final Revised State Implementation Plan for the Yuma $PM_{10}$ Nonattainment Area.

We have reviewed this package for completeness and found that it conforms to the completeness criteria in 40 CFR Part 51, Appendix V (1993). The complete submittal addresses the finding of incompleteness made by EPA on May 14, 1992, and thus stops the clock for mandatory sanctions under section 179(a) of the Clean Air Act.

The committal package found to be complete is now in the process of being reviewed. Once reviewed, we will prepare a rulemaking notice for submittal to our Headquarters office for publication in the Federal Register.

If you have any questions regarding our review, please call me or have your staff call Wallace Woo, Chief of the Plans Development Section in the Air Planning Branch at (415)744-1207.

Sincerely,

for David P. Howekamp
Director
Air & Toxics Division

cc: Nancy Wrona, Arizona Department of Environmental Quality

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# APPENDIX K

## Public Process Documentation

# APPENDIX K.1

## Documentation for April 4, 2006 Public Hearing

**PUBLIC NOTICE**

Arizona Department of Environmental Quality

Public Hearing

On the Proposed Yuma $PM_{10}$ Maintenance Plan and

Technical Support Document (TSD)

A public hearing will be held on Tuesday, April 4, 2006, at 4:00 p.m., in the City of Yuma's Department of Public Works Training Room, 155 West 14th Street, Yuma, Arizona to revise the Arizona State Implementation Plan (SIP) for a proposed Yuma $PM_{10}$ Maintenance Plan and Technical Support Document (TSD). Interested parties will be given an opportunity at the public hearing to submit relevant comments, data, and views, orally and in writing. The close of the comment period will be 5:00 p.m. on Tuesday, April 4, 2006. The maintenance plan and TSD demonstrate attainment and compliance with the $PM_{10}$ Federal and state national ambient air quality standards (NAAQS) through 2016 for the Yuma area.

Written comments should be addressed, faxed, or e-mailed to:
Andra Juniel, Air Quality Planning Section, Arizona Department of Environmental Quality, 1110 W. Washington Street, 3415A-3, Phoenix, AZ 85007, PHONE: (602) 771-4417, FAX: (602) 771-2366, E-Mail: alj@azdeq.gov.

Copies of the proposed plan are available for review beginning Friday, March 3, 2006, at the following locations:

Arizona Department of Environmental Quality Library, First Floor, 1110 W. Washington Street, Phoenix, Arizona 85007, Attn: Lorraine Cona, (602) 771-2217,

Yuma County Library, 350 3rd Avenue, Yuma, Arizona 85364, Attn: Brian Franssen, (928) 782-1871 Ext. 106, and

Somerton Library, 240 Canal Street, Somerton, Arizona 85350, Attn: Frances Murrietta, (928) 627-2149.

# Publisher's Affidavit of Publication

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**STATE OF ARIZONA** }
COUNTY OF YUMA }

**PUBLIC NOTICE**

Arizona Department of Environmental Quality

Public Hearing

On the Proposed Yuma $PM_{10}$ Maintenance Plan and Technical Support Document (TSD)

A public hearing will be held on **Tuesday, April 4, 2006, at 4:00 p.m.**, in the City of Yuma's Department of Public Works Training Room, 155 West 14th Street, Yuma, Arizona to revise the Arizona State Implementation Plan (SIP) for a proposed Yuma PM10 Maintenance Plan and Technical Support Document (TSD). Interested parties will be given an opportunity at the public hearing to submit relevant comments, data, and views, orally and in writing. The close of the comment period will be **5:00 p.m. on Tuesday, April 4, 2006**. The maintenance plan and TSD demonstrate attainment and compliance with the $PM_{10}$ Federal and state national ambient air quality standards (NAAQS) through 2016 for the Yuma area.

Written comments should be addressed, faxed, or e-mailed to: **Andra Juniel, Air Quality Planning Section**, Arizona Department of Environmental Quality, 1110 W. Washington Street, 3415A-3, Phoenix, AZ 85007, PHONE: (602) 771-4417, FAX: (602) 771-2366, E-Mail: **alj@azdeq.gov.**

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**Yuma County Library**, 350 3rd Avenue, Yuma, Arizona 85364, Attn: Brian Franssen, (928) 782-1871 Ext. 106, and
**Somerton Library**, 240 Canal Street, Somerton, Arizona 85350, Attn: Frances Murrietta, (928) 627-2149.
Daily March 3, 17, 2006 #L32064

Julie Moreno or Lee Knapp, having been first duly sworn, deposes and says: that The Sun is a newspaper of general circulation published daily in the City of Yuma, County of Yuma, State of Arizona; that (s)he is the publisher or business manager of said paper; that the PUBLIC NOTICE

a printed copy of which, as it appeared in said paper, is hereto attached and made a part of this affidavit, was published in The Sun For TWO issues; that the date of the first publication of said PUBLIC NOTICE

was MARCH 3 ,2006 and the date of the last publication being MARCH 17 ,2006 and that the dates when said PUBLIC NOTICE

was printed and published in said paper were MARCH 3, 17, 2006

Lee Knapp

Subscribed and sworn to before me, by the said Julie Moreno or Lee Knapp

20th day of March, 2006

Virgen P. Perez Notary Public

My commission expires May 10, 2009

OFFICIAL SEAL
VIRGEN P. PEREZ
Notary Public State of Arizona
YUMA COUNTY
My Comm. Expires MAY 10, 2009

ADEQ
Arizona Department of Environmental Quality

# Air Quality Division Sign-In Sheet

## Please Sign In

SUBJECT: YUMA $PM_{10}$ MAINTENANCE PLAN AND TECHNICAL SUPPORT DOCUMENT PUBLIC HEARING

DATE: APRIL 4, 2006

| | NAME | ORGANIZATION | PHONE | FAX | E-MAIL |
|---|---|---|---|---|---|
| 1. | Andra Juniel | ADEQ | (602) 771-4417 | (602) 771-2366 | juniel.andra@azdeq.gov |
| 2. | MACK Luckie | YMPO | 928-783-8911 | | mluckie@ympo.org |
| 3. | Lou Miranda | Yuma County | 928-817-5140 | 928-817-5020 | Luis.Miranda@co.yuma.az.us |
| 4. | Paul Melcher | YMPO | 928-783-8911 | | pmelcher@ympo.org |
| 5. | Scott Shill | McElhaney Cattle Co | 928-785-8602 | | scotts@mcelhaneycattle.com |
| 6. | GREG FERGUSON | YUMA CO | 928 783 1633 | | GREG.FERGUSON@co.yuma.az.us |
| 7. | MARIE STEWART | MCAS YUMA | 928-269-6669 | 928-269-5216 | Marie.stewart@usmc.mil |
| 8. | R J Chapman | City of Yuma Police | 928-373-4752 | 928 373-4753 | chapmanr@ci.yuma.az.us |

## Air Quality Division Sign-In Sheet – p _2_ of _3_

| | NAME | ORGANIZATION | PHONE | FAX | E-MAIL |
|---|---|---|---|---|---|
| 9. | Lucy Shipp | ADOT - PIO | 928-726-5930 | | lucyshipp@aol.com |
| 10. | GARY LANGFORD | WMIDD | 928-785-3351 | | glangford@wmidd.org |
| 11. | IBRAHIM OSMAN | COY | 928-373-4531 | | ibrahim.Osman@ci.yuma.az.u |
| 12. | BILL BECK | Co. YUMA PUBLIC WORKS | (928) 341-2500 | | |
| 13. | Charlene Fernandez | ADEQ | 928 373-9432 | | |
| 14. | Therese George | | 246-5328 | | szlticid@[illegible] |
| 15. | Peggy Garcia | YPIC | 928-329-0990 x185 | | pgarcia@YPIC.com |
| 16. | | | | | |
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ADEQ Arizona Department of Environmental Quality

# Public Hearing Agenda

## AIR QUALITY DIVISION

## PUBLIC HEARING
## on the
## YUMA $PM_{10}$ MAINTENANCE PLAN AND TECHNICAL SUPPORT DOCUMENT

## PLEASE NOTE THE MEETING LOCATION AND TIME:

## CITY OF YUMA'S DEPARTMENT OF PUBLIC WORKS TRAINING ROOM
## 155 WEST 14th STREET, YUMA, ARIZONA
## TUESDAY, APRIL 4, 2006, 4:00 P.M.

**Pursuant to 40 CFR § 51.102 for State Implementation Plan (SIP) hearings, notice is hereby given that the above referenced meeting is open to the public.**

Copies of the proposed documents are available for review at the Arizona Department of Environmental Quality Library, 1110 West Washington Street, Phoenix, Arizona; Yuma County Library, 350 3rd Avenue, Yuma, Arizona; and Somerton Library, 240 Canal Street, Somerton, Arizona.

1. Welcome and Introductions
2. Purposes of the Oral Proceeding
3. Procedure for Making Public Comment
4. Brief Overview of the Proposed Yuma $PM_{10}$ Maintenance Plan and Technical Support Document
5. Question and Answer Period
6. Oral Comment Period
7. Adjournment of Oral Proceeding

Additional information is available on the ADEQ website at www.azdeq.gov, or call Andra Juniel, ADEQ Air Quality Division, at (602) 771-4417 or 1-800-234-5677, Ext. 771-4417.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Dan Flukas at (602) 771-4795 or 1-800-234-5677, Ext. 771-4795. Requests should be made as early as possible to allow sufficient time to make the arrangements for the accommodation. This document is available in alternative formats by contacting ADEQ TDD phone number at (602) 771-4829.

**SPEAKER SLIP**

Date: 4/4/06 Speaker Slip No. 1

Name: Luis Miranda

Representing: Yuma County

Mailing Address:

- [ ] I wish to make an oral statement.
- [x] I have submitted written comments.
- [ ] I will submit written comments at a later time.

Subject: I wish to submit written comments

---

**SPEAKER SLIP**

Date: 4/4/06 Speaker Slip No. 2

Name: Marie Stewart

Representing: MCAS Yuma

Mailing Address: Box 99110, Yuma Az 85369-9110

- [x] I wish to make an oral statement.
- [ ] I have submitted written comments.
- [ ] I will submit written comments at a later time.

Subject: Maintenance Plan Process

**SPEAKER SLIP**

Date: 4/4/06 Speaker Slip No. 3

Name: Lucy Shipp

Representing: Self

Mailing Address: 2275 Chaco Lane, Yuma AZ 85365

- [x] I wish to make an oral statement.
- [ ] I have submitted written comments.
- [ ] I will submit written comments at a later time.

Subject:

**SPEAKER SLIP**

Date: 4/4/06 Speaker Slip No. 4

Name: GREG FERGUSON

Representing: YUMA COUNTY

Mailing Address: 198 S. MAIN ST YUMA AZ 85364

- [x] I wish to make an oral statement.
- [ ] I have submitted written comments.
- [ ] I will submit written comments at a later time.

Subject:

Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES
2351 W. 26th Street, Yuma, Arizona 85364
Phone: (928) 817-5000
Fax: (928) 817-5020

Monty M Stansbury, AICP
Director

4 April, 2006

Ms. Nancy Wrona
Director, Air Quality Division
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, AZ 55007

Re: Draft Yuma $PM_{10}$ Maintenance Plan Comments

Dear Ms. Wrona.

It is indeed my pleasure to present written comments to the Arizona Department of Environmental Quality (ADEQ) regarding the Draft Yuma $PM_{10}$ Maintenance Plan. Enclosure (I) provides recommended changes and suggestions to help improve the contents of the draft document.

The Arizona Department of Environmental Quality is to be commended for their hard work and assistance to stakeholders of the Yuma community in preparation of the Draft Yuma $PM_{10}$ Maintenance Plan document, and in helping Yuma County achieve air quality compliance standards.

If you have any further questions or comments regarding the submitted draft comments or recommended changes, please do not hesitate to Mr. Luis Miranda, Environmental Programs Manager at (928) 817-5140.

Sincerely,

Monty Stansbury, AICP
Director

Enclosure (1)-Review Comments

Monty M. Stansbury, AICP
Planning Director
Planning & Zoning
Fax: (928) 817-5157

Curtis Cansler
Chief Building Official
Building Safety
Fax: (928) 817-5050

Roger A. Patterson, P.E.
County Engineer/FCM
Engineering Division/Flood Control District
Fax: (928) 817-5105

| Page Number | ADEQ Document Reference | Yuma County Comments |
|---|---|---|
| 1-5 | ¶ 4-"This amounts to a projected increase of 23.9.7%" | Please correct the percentage rate. |
| 1-8 | 72-"Home to the Marine Corps Air Station and the U.S. Army Garrison Yuma" | Please consider changing this to U.S. Army Yurna Proving Grounds as is listed in the local phone directory. |
| 2-6 | Section 2.7.1 "Chapter 3 reveals that there has not been a violation of the $PM_{10}$ NAAQS in Yuma since 1991." | Please consider adding: "there has not been a violation of the $PM_{10}$ NAAQS in Yuma since 1991, except for an unusual wind event in 2002." |
| 2-9 | 5. "Yuma area stalteholders developed a NEAP for the high wind event of August 18,2002; Region IX concurred with the NEAP." | Please describe the methodology for how EPA Region IX concurred with the NEAP. |
| 2-12 | Section 2.11.2-¶2 "such as the one that has precipitated this NEAP." | Please consider re-writing this statement to read "such as the one that precipitated the Yuma NEAP." |
| 3-1 | ¶1 "regulatory requirements for PM10 monitoring…" | Please change PM10 to $PM_{10}$ |
| 3-1 | Section 3.1 Quality Assurance Procedures for Air Quality Monitoring | Comment: Please consider specifying how often the monitor is calibrated and the procedures for calibration. |
| 3-2 | Table 3-1 Parameters of the Yuma Monitoring Sites | Please specify the type of device at 2440 W. 28th street. Parameter is left blank. |
| 4-4 | Table 4-2 | Comment: Please re-check all total calculations. The emissions calculated for Fall (41,430) should be 41,429 and for Winter (56,453) should be 56,454 thus the total (130,331) should read 130,330. The total annual for the Alluvial Plain and Channels (2517) should read 2516. |
| 4-5 | 73 "Daily VMT estimates were not available for 2016 for this analysis." | Comment: Table 4-5 shows daily VMT estimates for 2016. Is the document statement correct? Please specify the difference. |
| 4-11 | ¶3 "…Yuma International Airport, shown in Table IV-21." | Please change to read Table 4-9. |
| 5-9 | Section 5.4.4 "The Yuma concentrations on those two days…..on July 17." | Please consider re-writing ¶ to read "…on July 17 (see Table 5-9)." Adding the reference to Table 5.9 may add clarity since Table 5-7 also appears on page 5-9 and thus may lead some readers to confusion regarding the source of the information. |

| Page Number | ADEQ Document Reference | Yuma County Comments |
|---|---|---|
| 5-11 | Section 5.5 ¶1 states "Table 5-11 illustrates the results of modeling the hourly emissions…" | Table 5-11 references Hourly Average Wind Speeds. Comment: Should this read Table 5-10? |
| 5-12 | Section 5.5.1 ¶2 states "Table 5-12 shows that seven hours on this date…" | Table 5-11 references Hourly Average Wind Speeds. Comment: Should this read Table 5-11? |
| 5-19 | ¶4 "Table 5-14 begins with the observation ("OBS") of the 24-how average…" | Table 5-13 references Domain-Wide $PM_{10}$ Concentrations in Yuma. Comment: Should this read Table 5-13? |
| 5-22 | ¶2 "The top ten values from this figure are shown in Table 5-15 and reveal the following...." | Table 5-14 references Yuma 24-Hour Average $PM_{10}$ Concentrations. Comment: Should this read Table 5-14? |
| 5-23 | ¶1 "These data support scaled predicted domain maximum …given in Table 5-14." | Table 5-13 references Domain-Wide $PM_{10}$ Concentrations in Yuma. Table 5-13 also specifies the Max and Normalized concentrations identified in this paragraph. Comment: Should this read Table 5-13? |
| 5-27 | ¶1 "The necessary calculations for this exercise are illustrated in Table 5-19." | Table 5-18 provides calculations for the Demonstration of Attainment. Comment: Should this read Table 5-18? |
| 6-1 | Section 6.1 Maintenance Demonstration Control Measures | ¶2 Lists several significant control measures demonstrated by both the City of Yuma and Somerton. Please also include a description of the significant measures initiated by Yuma County. |
| 6-12 | ¶3 "Yuma County developed a Public Service Announcement (PSA)…" | Comment: Please include a reference regarding the formation of an air quality brochure developed by Yuma County, as well as a web-site devoted to educating the public regarding air quality issues. Go to the following web-site for further information on environmental issues: http://www.co.yuma.az.us/dds/EP.htm |

| Page Number | ADEQ Document Reference | Yuma County Comments |
|---|---|---|
| 7-1 | ¶1 "A contingency measure of a combination of contingency measures will be implemented if the ambient $PM_{10}$ level in the Yuma $PM_{10}$ Nonattainment Area exceeds 95% of the NAAQS." | Comment: ADEQ should provide further guidance regarding notification requirements and implementation of contingency measures if the NAAQS is exceeded. Allowing $PM_{10}$ concentration levels to reach 95% of the NAAQS before implementation of contingency measures might not allow local communities the ability to implement measures to remain below the NAAQS. |
| App E | "Title: Development Services Coordinator" | Please change Title for Luis Miranda to read "Environmental Programs Manager" also; please change Phone Number to (928) 817-5000. In addition the e-mail address needs to read as follows: Luis Miranda@co yuma az us and our website has changed to: http://www.co.yurna.az.us/ddsEP.htm |
| | Notes: ¶= Paragraph | |

**Yuma Metropolitan Planning Organization**

502 S. Orange Ave. Phone: (928) 783-8911
Yuma, Arizona 85364 Fax: (928) 329-1674
www.ympo.org

Local Governments and Citizens Working Together

# Yuma Metropolitan Planning Organization

Comments: Draft Yuma Maintenance Plan and Technical Support Document

April 4,2006

## Yuma Maintenance Plan

| Page/Table/Figure | Comments |
|---|---|
| Pg. 2-3 | The term ***U.S. Army Garrison*** should read ***U.S. Army Yuma Proving Grounds.*** |
| Fig. 3-2 | There should be more discussion as to the reason(s) why the Yuma study area $PM_{10}$ annual readings from 1992 to the present dropped so drastically when compared to readings in 1989-1991. |
| Pg. 4-15 | YMPO recommends that this section contain a discussion on the YMPO 2005 Air Quality Conformity Analysis Ag BMPs and their contribution to a greater annual decrease in $PM_{10}$ emissions. |
| Table 4-16 | YMPO recommends that t emissions data summary should convert kg/day to tons/day to ensure that the information is consistent with local conformity documents, particularly the YMPO Air Quality Conformity Analysis. |
| Table 5-4 | The method of describing percent change in the table is contrary to typical percent change descriptions and could lead to confusion in interpreting the data.<br><br>It does not seem reasonable that ***Ag Tilling*** amounts would remain unchanged when the number of acres of agricultural lands in the study area is decreasing due to urbanization. As the region continues to grow and agricultural lands are urbanized, it seems logical that this number would decrease. |
| Table 5-14 | There should be more discussion as to the reason(s) why the Yuma study area $PM_{10}$ annual readings from 1992 to the present dropped so drastically when compared to readings in 1989-1991. |

# Yuma Metropolitan Planning Organization

502 S. Orange Ave. Phone: (928) 783-8911
Yuma, Arizona 85364 Fax: (928) 329-1674
www.ympo.org


*Local Governments and Citizens Working Together*

## Technical Support Document Comments

| | |
|---|---|
| Pg. 1-3 | There should be more discussion as to the reason(s) why the Yuma study area $PM_{10}$ annual readings from 1992 to the present dropped so drastically when compared to readings in 1989-1991. |
| Table 2-4 | ***Ag Tilling*** reductions remain the same even though it is highly likely that the total amount of agricultural acres will continue to decrease due to urbanization. |
| Pgs. 2-13 to 2-15 | It is likely that Mexico HWY 2 would contribute some background $PM_{10}$ emissions toward the Yuma study area contributions even though it does not lie within said area.<br>Readings from the San Luis, Arizona monitoring site should provide insight as to other background $PM_{10}$ emissions generated by San Luis Rio Colorado, Sonora, Mexico and the aforementioned Mexico HWY 2. |
| Table 2-17 | There should be more discussion as to the reason(s) why the Yuma study area $PM_{10}$ annual readings from 1992 to the present dropped so drastically when compared to readings in 1989-1991. |
| Table 3-4 | It does not seem reasonable that ***Ag Tilling*** amounts would remain unchanged when the number of acres of agricultural lands in the study area is decreasing due to urbanization. As the region continues to grow and agricultural lands are urbanized, it seems logical that this number would decrease. |

Oral comment for the public hearing on the Yuma $PM_{10}$ Maintenance Plan and Technical Support Document, April 4,2006

I have a couple of concerns. One of them is the data collected. And I mentioned this at the last meeting when we were discussing the permit to the refinery. And the data was collected from a single monitor, 25 miles or more away from the major polluting sources. The major polluting sources the Goldwater Range and that's number one but over 300,000 pounds of $PM_{10}$ per year, much of it is depleted uranium contaminated and the second one is BLM. They have done a lot of burning and a lot of rock quarrying as well. That was not included. Most of that monitoring has been sporadically and has been on Sunday or Monday when things were very quiet. The other thing that troubles me very much about this refinery particularly where I first started watching it but it didn't make sense to me that so much was left out of those reports and then Ian Coffin the spokeperson for Arizona Clean Fuels, which is the one trying to build this refinery in conjunction with Carlisle Group and Haliburton said we have more than 24 people who have donated more than thirty million dollar to get the research and development to get this air quality permit. It doesn't take 30 million dollars to do the research and development and a lot of that went into lobbying. It concerns me very much. I don't think and then there are many people in Yuma that are just laughing because a couple of weeks after that permit was issued we had an air alert and it was not a windy day. We also have frequent air inversions and with the heavy cem trailer between here and Tucson over the last four years our air inversions last longer and are more severe. We have one of the highest cancer rates, highest asthma rate in the country, one of the highest child leukemia rates and air quality is very closely tied to all of those. I did issue a letter to ADEQ the last time I was here. I received no response. I did get a response from Senator De Concini two days ago. That's all I have to say.

Theresa York

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TO: Ms. Andra Juniel

FAX: 602-771-2366
ARIZONA DEPARTMENT OF
ENVIRONMENTAL QUALITY

FROM: ARTURO ALVAREZ, P.E.

March 19, 2006

Ms. Andra Juniel
Arizona Department of Environmental Quality
1110 West Washington Street
Phoenix, Arizona 85040

RE: Yuma PM10 Maintenance Plan and Technical Support Document Public Hearing

Dear Ms. Juniel,

I have read the Yuma PM10 Maintenance Plan and much of the technical support document. I would like to express my sincere appreciation of your efforts with regard to the air of the State. I want to say that ADEQ has accomplished a lot in the Yuma area and it is good to know that the air in Yuma is improving. Over these past two weeks, I have meticulously reviewed the documents that I downloaded from the ADEQ webpage. I am unable to attend the public hearing on April 4. I will be out of town on business. But I would like to submit the following comments for the public hearing. There were areas in the plan that I thought either needed clarification or could have been improved, I have made an attempt to organized my comments along subject lines.

**MODELING:**
The modeling domain shown in Figure 1-3 included portions of California and Baja California del Norte, Mexico and part of Yuma County. What is the technical rationaie for a modeling domain of this extent? In the emissions and air quality modeling sense, the term "Yuma" refers to this entire modeling domain. In summary, then, the term "Yuma" is used in three ways in this document:

The "Yuma air quality planning area" -- roughly the area east of the Colorado River, west of the Gila Mountains, and north of Sonora, Mexico, and as far north as the La Paz County line – is the area in which $PM_{10}$ emission controls have been enacted. ADEQ should include a map of this area that clearly shows the northern limit of the air quality planning area which is the La Paz County line.

The "Yuma $PM_{10}$ monitoring area' is that portion of central Yuma in which $PM_{10}$ monitoring has been conducted: namely, the locations given in Table 1-1. ADEQ should include a map of this area that clearly shows the limits of the monitoring area.

The "Yuma $PM_{10}$ modeling domain" is a larger area that includes nearly all of the nonattainment area, but also includes portions of Baja and California. This large rectangular area was chosen for both the emissions and air quality modeling conducted as part of this Maintenance Plan. Why was this large rectangular area chosen and why does it not include all of the nonattainment area'?
The base year inventory is for 1999. ADEQ intends to submit the maintenance plan and technical support document to EPA in 2006, Is a 1999 base year inventory adequate for a 2006 submittal?



04/01/2006 17:49 928-774-7328 ECONO LODGE UNIV. PAGE 01

ADEQ has not made an adequate demonstration which control measures were already implemented in 1999 to help Yuma attain the daily and annual $PM_{10}$ NAAQS for the 1999 base year.

The base year inventory is for 1999. ADEQ intends to submit the maintenance plan and technical support document to EPA in 2006. Why does ADEQ think a 1999 base year inventory is adequate for a 2006 submittal?

While demonstrating attainment of an air quality standard is a data-intensive and computationally complex exercise. This exercise consists of several steps.

- Build inventories of emissions for the base year 1999 and the future year 2016, and convert these inventories into a numerical format compatible with an air quality model.

The time differential between the base year inventory and the future year 2016 inventory is 17 years. Can ADEQ construct an inventory so far in the future with any degree of accuracy?

The time differential between the base year and 2016 is 17 years. Can ADEQ simulate $PM_{10}$ concentrations so far in the future with any degree of accuracy?

The design days chosen, given in Table *2-2,* represent all the seasons and a variety of meteorological conditions. The design days does not show a "high wind, Agricultual tillage day". Neither does it show a day typical of atmospheric stagnation or an inversion scenario. There is not a single windless day shown.

Details of the calculations may be found in Appendix A, E. H. Pechan & Associates, Inc. -- the contractor's report. On-road mobile source calculations, referenced in the Pechan report, are given in Appendix E. What follows are a summary table and two figures to illustrate the findings. Table 2-3 gives the 1999 and 2016 annual PM10 emissions by source category. Mobile sources are absent for both the 1999 and 2016 emissions calculations,

How were portable PM10 sources in the Yuma area categorized in Table 2-3?

One can assume that emissions from agricultural tilling and agricultural cultivation and harvesting would decrease between 1999 and 2016 for the same reason that agricultural and prescribed burning would decrease -- considerably less agriculture her a in 2016.

Based on past and projected population growth in the Yuma area, emissions from paved roads- re-entrained dust are likely to increase more than *70* percent over this 17 year timeframe.



04/01/2006 17:49 928-774-7328 ECONO LODGE UNIV. PAGE 02

ADEQ should include a copy of the EPA guidance on emissions inventories that it used for Yuma to allow for public review and comment.

ADEQ should have constructed and included an emissions inventory for the time period associated with the years of the Yuma clean data finding.

A natural event occurred in the Yuma area in the summer of 2002. ADEQ should have included the inventory used to model this event to all the public the opportunity to review and comment on how the natural events inventory compares to the attainment and maintenance year inventories.

Are the 1999 base year inventory and the 2016 inventory worse case day emissions inventories?

Shouldn't the maintenance plan or the technical support document contain two inventories for the base year, one for the 24-hour design value and an annual inventory and two of the same type of inventories for the maintenance year?

ADEQ should include in either the maintenance plan or technical support document a summary table of the modeled 24-hour and annual base year estimated PMIO concentrations and the estimated 24-hr and annual $PM_{10}$ concentrations for Yuma in 2016. Does **ADEQ** take daily $PM_{10}$ monitoring readings fro Yuma and are more monitor readings taken under adverse weather conditions such as inversions and severe storm events?

What margin of safety was factored into the projected VMT to address future unanticipated transportation projects?

How much PM10 emissions reduction was attributable to the RACM implemented in the Yuma area in 1999 and why couldn't ADEQ should compliance with the PM10 standard even though these RACM were in effect?

Under section 176(c) of the Act, transportation plans, programs and projects in nonattainment or maintenance areas that are funded or approved under Title 23 U.S.C. or the Federal Transit Laws must conform to the applicable SIP. In short, a transportation plan is deemed to conform to the applicable SIP if the emissions resulting from the implementation of that transportation plan are less than or equal to the motor vehicle emissions level or ``budget" established in the SIP for the maintenance year and other analysis years. ADEQ needs to clarify if this limit is for one specific project or for the combined transportation projects for the Yuma area for the maintenance year and other analysis years.

How does the maintenance plan or technical support document demonstrate how the PM10 motor vehicle emissions budget meets the criteria contained in the conformity rule at 40 CFR 93.118(e)(4)?

Agricultural statistics in Table 2.4 of the technical support document come directly from the emissions inventory and reflect the modeling area, which is much larger than the nonattainment area. ADEQ should show agricultural statistics for the nonattainment area so these emissions can be compared with the other category of emissions in the Yuma nonattainment area.

The PM10 emissions inventory for modeling, developed for the Yuma study area, covered eight days each for the years 1999 and 2016, as shown in Table *2-5* of the technical support document. The inventory was completed before the air quality design dates were chosen. Therefore, these emission inventory dates do not match the chosen air quality dates exactly. There appears to be incongruity between the eight days that were modeled and the emissions inventory. This incongruity is cause for concern, although ADEQ has attempted to trivialize this problem.

Including design dates with high wind speeds in Table 2-2 of the technical support document was done for the simple reason that these are among the most difficult to show compliance with the standards. However, ADEQ does not make a convincing case that there was typical or even high anthropogenic activity on these high wind days chosen for the modeling.

For the high-wind day, the emissions fed into the air quality model had windblown emissions for only those hours with average wind speeds in excess of 15 miles per hour. This is the threshold wind speed for dust resuspension. Through this approach, high-wind design dates were chosen which had the right windblown emissions from the inventory on an hourly basis. Be that as it may, were activity levels for anthropogenic activities collected for these specific high wind days and entered into the model?

Additional data sources include ADEQ-developed land use data and contacts with local stakeholders. Can ADEQ give more specifics how it developed its land use data? Did ADEQ develop land use data for the portions of Baja, Mexico and Imperial County, California that are included in the modeling domain? What agencies did ADEQ collaborate with to obtain the land use data and activity levels for the jurisdictions outside of Arizona? ADEQ should include these raw data in an appendix to allow for public review and comment.

Pechan received 1999 emissions data for Imperial County from the California Air Resources Board. The maintenance plan and its technical support document is being submitted to EPA in 2006. Pechan should have gotten more recent emissions data for Imperial County. How recent the emissions data for the portion of the modeling domain that is found in Baja California? How recent is the activity level data obtained for Imperial County and Baja California? ADEQ should include the raw data in an appendix in the maintenance plan or the technical support document to allow for public review and comment.

Pechan evaluated new emissions data for sand dunes. These tests, on sand dunes near Owens Dry Lake, CA, suggest that threshold wind speeds in excess of 35 mph are



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needed to generate significant $PM_{10}$ emissions from sand dunes. The surface winds evaluated for the Yuma Study area in 1999 did not exceed 30 mph (Yuma Valley AZMET station). Therefore, no emissions were assigned to sand dunes in 1999 or 2016. Nevertheless, ADEQ did not take into account and model the effect of moderate to high ATV activity on even a low wind day can result in visible $PM_{10}$ emissions on the dunes.

During 1999, agricultural burning in the Bard/Winterhaven area of Imperial County was limited to 50 acres of alfalfa and 4 acres of tree trimmings. All burning was conducted n August of that year: hence, no Imperial County agricultural burning emissions appear in the modeling inventory. ADEQ neglected to construct an annual emissions inventory in which agricultural burning emissions in Yuma County, Imperial County, and Baja California would have been accounted for.

For 1999, the estimated Mexican on-road emissions were 935 tons from paved roads within the study area. For other paved roads, the emission factors corresponding to major collectors in Yuma County were used. To estimate 2016 emissions, the growth in VMT was estimated from VMT growth estimated for Yuma County. Hence, the on-road Mexican emissions are based on emission factors for a U.S. fleet and do not reflect emissions from a potentially dirtier Mexican fleet. This disparity makes little difference, it should be pointed out, because of the small contribution of tailpipe emissions in the whole of the monitoring domain and the even smaller contribution from those in Baja. Growth on the Mexican side of the international border is easily outstripping growth of American communities along or near the international border. Also Mexican paved roads are typically dirtier than paved roads on the American side due to trackout, unpaved road shoulders, lack of landscaping road shoulders, and debris and spillage or the roads. These factors were obviously not considered by ADEQ. The use of VMT growth estimates for 2016 based on growth of Yuma County would seriously underpredict the contribution of emissions from Mexican fleets in the year 2016.

The 50% reduction in unpaved road emissions from the base to the future year in the Pechan emission inventory is based upon stated assumptions in the two Lima and Associates reports (Appendix C). These assumptions were made in consultation with the Yuma Planning Organization, for whom the reports were written. A reasonable check on this rate of progress would be to determine the dirt roads paved and the emissions reduced in 1999 – 2004. This information is contained in Chapter 3, "Controls," but the paving projects are part of a diverse mix of dust reduction efforts. Table 2-8, which presents this unpaved road paving and emissions information, shows that fmm 2000 through 2004, unpaved road emissions have been reduced by about 8% each year. This pace is about twice as fast as the assumption of a 50% reduction in unpaved road emissions between 1999 and 2016 built into the inventory (at an 8% rate, the 2016 unpaved road total would be about 2500 tons, as opposed to the roughly 10,000 tons in 1999 and 5,000 tons in 2016). This reveals the fact that there are serious methodological problems in the data generation and the modeling and what is actually occurring in the Yuma area.



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The suitability of either 1999 or 2005 as a "base year" for the maintenance plan is discussed in Appendix D. Basically the years are equivalent because neither the $PM_{10}$ concentrations nor the emission totals change appreciably in this period. Based on the growth and the change of land uses in the Yuma area, this statement is not convincing, To prove its point, ADEQ should have constructed an inventory for 2005 and compared not only emissions levels, but the $PM_{10}$ source mix with those of 1999.

Figures **2-4** and 2-5 are emissions density plots for two days In 1999. Figure 2-4 is a day in which there were no windblown dust emissions in the inventory, while Figure **2-f** is a day in which windblown dust emissions occur. Notice the difference in the scales and density saturation between the two maps. The high wind day has a majority of the domain covered with cells that have a density of 10,000 to 300,000 g/m$^2$ $PM_{10}$, while the low wind day is mostly dominated by lower density cells ranging from 1,000 to 60,000 g/m$^2$ $PM_{10}$. The emission totals for high wind days are roughly five times the $PM_{10}$ emissions on the low wind days. A higher emission density throughout the domain for the high wind day, as compared to the low, would be expected. It's still easy to see thal on a low-wind day the domain is dominated by light emission densities except for the area along the 1-8 corridor. What densities are associated with a $PM_{10}$ exceedance? Would the high densities along the I-8 corridor translate into a PM10 exceedance or an elevated threat to human health. ADEQ needs to do a better job in explain what the high densities in Figure 2-4 and 2-5 signify in relation to the $PM_{10}$ standard and to human health and welfare.

Another notable difference in the maps can be seen in their upper right corners. The low wind map has light emission densities (none greater than 30,000 g/m$^2$), while the high wind day has quite dense emissions, with values **as** high as 600,000 g/m$^2$. Wouldn't a modeled density this high call for controls for the sources in this area of the modeling domain? ADEQ has identified problem areas on high wind and low wind days. Did ADEQ implement controls in these problem areas to protect human health?

This difference can be attributed to the dominance of windblown emissions for those cells. This makes sense, given that a majority of this area consists of miscellaneous disturbed ground surfaces associated with the Yuma Proving Grounds and would not materially affect local emissions unless wind speeds exceeded the resuspension threshold. This threshold was exceeded on the April 15, 1999, high-wind day, but not on the January 15,1999, low-wind day. A question to be answered would be how often do "high wind days" occur in the Yuma area which could reasonably result in elevated $PM_{10}$ levels in the Yurna Proving Grounds area7

Improve spatial allocation of agricultural emissions: Pechan investigated the use of survey information from the U.S. Bureau of Reclamation (USBR) on the location of various crop types in Yuma and Imperial Counties (those using Colorado River water for irrigation). Unfortunately, less than 8,000 acres had survey data (including fallow and vacant fields), representing less than 5% of the Yuma-Imperial crop land. Stakeholders may be able to shed light on which portions of the study area agricultural lands are used to raise certain crop types. Important crop types include citrus, wheat, cotton, and



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vegetables. In the current inventory, emissions for agricultural tilling, harvesting, and burning operations are spread over the entire county-level crop land use area. What about agricultural activity in Mexico? It seems that Pechan did an inadequate job in identifying crop type and agricultural activity in the Mexican portion of the study area.

Gather additional information to estimate Mexican emissions: Missing source categories include unpaved roads and open burning (e.g. household waste). Incorporate refined data to estimate on-road emissions, including emission factors for a Mexican fleet.

These are glaring deficiencies in the inventory. The inventories should be reconstructec to account for these significant sources and a new modeling should be conducted with these sources accounted for.

On the March 31, 1999 model run, maximum predicted concentrations anywhere in the domain ranged from 300 to nearly 800 µg/m3. Much of the modeling domain was modeled to be over 200 µg/m3. A question that ADEQ did not address in the technical support document was why it was unable to model attainment in the 1999. The maintenance plan contains control measures that have been implemented In the Yuma area since 1991. What were the effectiveness of these controls on March 31, 1999? . It also seems that EPA, rather than suggesting that ADEQ verify the robustness of the data, revisit some of its inventory and modeling assumptions, and rectify the incongruity of the design days and the inventory, gave ADEQ a way out.

Numerous sensitivity tests and discussions with EPA Region 9 staff were conducted in the wake of the high-wind day modeling of March 31, 1999, for which the model produced extreme over-predictions. ADEQ does not offer any explanation why the model produced these extreme over-predictions.

In any case, with the model over predicting, with the sensitivity tests leading to nowhere, and with the semi-empirical relationship between wind speeds and $PM_{10}$ proving elusive, another approach had to be employed. This is further evidence that ADEQ could not model compliance with the $PM_{10}$ NAAQS for 1999.

To this end, permission was obtained from EPA to employ a modified rollback approach. This means that the windblown emissions are rolled back until the model predicts in the range of the measured values. Rollback was employed only for those hours with windblown dust in the model. These hours are for average hourly wind speeds of 15 miles per hour or greater. On March 31, 1999, a trough and frontal passage brought strong, gusty winds from the west and northwest from 1:00 **p.m.** through midnight, with visibility reduced to four miles caused by blowing dust from 1:00 p.m. through 4:00 p.m. Table 2-14 shows that seven hours on this date had average hourly wind speeds exceeding the windblown dust resuspension threshold. In the air quality modeling, each of these high-wind hours was simulated with windblown dust emissions. Rather than rolling back emissions from this category in the modeling, ADEC!

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needs to use additional or better controls on the windblown sources to prevent extreme high level of PM10 concentrations during high-wind hours.

ADEQ needs to better clalrify what is included in the windblown emissions category.

Since ADEQ got permission to use this modified rollback back approach from EPA, EP.4 should base this permission on guidance. Presumably, this guidance document would clearly describe the instances that this approach is justified and cite what authority EPP has to give planning agencies permission to use this approach. This guidance, if it exists, should have been included in the maintenance plan or the technical support document to allow for public review and comment. Without this documentation, it appears that ADEQ, with EPA complicity, manipulated the modeling results to show a contrived compliance with the NAAQS in spite of the indisputable modeling results.

**MONITOR** AND MONITORING **ISSUES:**
Based on the growth and development of the Yuma area since 1985, is the present monitor location in the ideal spot to accurately identify the significant emissions of PM1( in Yuma?

ADEQ should include a technical rationale why a single monitor is adequate for a study area as large as the Yuma nonattainment area and how this one monitor measures PMIO emissions from all significant sources of PMIO through the nonattainment area.

Does ADEQ intend some time in the future to install additional $PM_{10}$ monitors in the Yuma Nonattainment Area?

Particulate matter is a collective term describing small solid or liquid particles that vary considerably in size, geometry, chemical composition and physical properties. Can particulate matter be toxic? If it can, is the particulate matter here toxic?

Has ADEQ assessed the economic damage that particulate matter has caused in the Yuma area?

Has ADEQ conducted epidemiological studies to identify the causal relationships between particulates and excess mortality, aggravation of bronchitis, and changes in pulmonary function in the population here?

What is the projected PMIO concentrations for the Yuma area for the maintenance year based on trends apparent in Figure 1-2 of the TSD?

What is the maximum distance that PMIO sources can be from the present monitor and that monitor can still record PM10 emissions froml that source?
Is an exceedance defined to be greater than 50 ug/m3 for the annual average to account for the precision of the instrument?



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On August 18, 2002, a 24-hour concentration of 170 ug/m3 was recorded in the Yuma area. How much of this concentration was due to sources in the immediate Yuma vicinity?

Concentrations of particulates tend to be higher in the late fall and winter, when atmospheric dispersion is at a seasonal low. $PM_{10}$ maximum concentrations can occur in any season, provided nearby sources of coarse particulates are present or when strong and gusty winds suspend soil disturbed by human activities. Hourly concentrations of particulates tend to peak during the hours of the worst dispersion, which is from sunset to mid-morning. Is this true for the Yurna area?

It's unreasonable to suppose that $PM_{10}$ concentrations averaged for 24 hours in southwest Arizona would be lower than 5 ug/m3. What would account for these astonishing low concentrations?

A successful request for designation from non-attainment to attainment depends on twc findings:

1. That air quality in the future meets the standards, and

2. That the most recent three years of monitoring meet the standards.

In view of 2, shouldn't ADEQ submit monitoring data for 2003, 2004 and 2005 instead o: 2002,2003 and 2004?

PM10 monitoring is generally conducted with a filter-based instrument, permanently mounted at a site. This instrument is typically run every sixth day, midnight to midnight, to give about sixty 24-hour averages each year. Why doesn't this instrument take daily readings of the PM10 levels here?

Data from the "original" sampler was found to be invalid for the second half of the year. Why was this data invalid?

Does the monitor have the capability to determine from which sources the PM10 emissions originated on any particular monitoring day?

Has ADEQ identified an air quality committee to evaluate the causes of the future exceedances and recommend strategies to be considered for implementation?

In addition to continuing to implement the measures contained in the Part D nonattainment area plan, the State provides for additional contingency measures under a ``phased" approach. Phase One is triggered if If PM10 concentrations equal or exceed 90 percent(135 ug/m3) of the 24-hour or 90 percent (45 ug/m3) of the annual NAAQS. Will the air quality committee evaluate the cause of the near exceedance and if necessary, identify and recommend an action plan with a schedule for implementation



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of additional strategies as necessary to prevent an exceedance or violation of the PM10 standards?

Arizona's redesignation request for Yuma is based on valid ambient air quality data for which years? How were these data were collected and analyzed? How does the state certify that these data meet minimum quality assurance requirements and, consequently, are valid?

With regard to meteorology, ADEQ should have reviewed periods of low sustained wind speeds from 1994 through 2000 to indicate periods of poor ventilation and the potential for exceedance conditions. As a result of its review, ADEQ could definitively concluded that there has been an improvement in air quality even during the worst ventilation periods.

The first step in calculating the composite background PM concentration is to obtain the mean hourly percent contribution of PM for any given day per season. These sites were chosen to represent both urban, high-emission areas (Calexico) and rural, and near pristine conditions (Green Valley). The Green Valley site, operated by Pima County, is in what can arguably be called a background area. Green Valley, Arizona, 25 miles south of Tucson, has had annual $PM_{10}$ concentrations from 1989 through 2003 averaging 17 $\mu g/m^3$, with a high of 21 and low of 14 $\mu g/m^3$. Be that as it may, is this site similar to Yuma as far as native vegetation and climatology? Does this site serve as the background site for all PMIO nonattainment areas in Arizona, making it the official background site for the state? Is there official critieria that a "background site" must satisfy to be designated as such. Concerning the Calexico site, couldn't ADEQ have at least pick an urban background site in Arizona? How can ADEQ vouch for the veracity of monitoring data at a site in California? For example, Calexico and Green Valley are not even in the same airshed as Yurna. Shouldn't ADEQ have installed a background site near Yuma, but beyond the PM10 influence of the Yuma area to get background readings that were truly representative of southwestern Arizona rather than south-central Arizona? Maybe the actual background concentrations in the Yuma area are higher than those for Green Valley. These issues are not adequately addressed in the technical support document.

An additional complication – not dealt with in this method – concerns obstructions from elevated terrain that affect the transport of PM emissions. Including such terrain effects would have been much too complex for the scope of this study, so flat terrain is assumed. ADEQ too easily assumes away issues that would have significant impacts on the results of its calculations. ADEQ should at least present and explain possible effects that the assumption of flat terrain could have on its calculations for background concentrations for the Yuma area.



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PMIO **CONTROLS:**
Have controls been **applied** to background concentrations to reduce these concentrations from the base to the future years?

Receptor analysis (chemical mass balance (CMB) in this case) determines the amoun and kind of emission reductions that are required to attain the NAAQS. ADEQ did not use this model for Yuma. How did ADEQ determine the amount and kind of emissions reductions that were required to develop controls for?

If an actual violation occurs here, will the state reinstate the nonattainment Part D New Source Review requirements for major sources of PMIO in the Yuma area?

The State must be able to reasonably attribute the improvement in air quality to permanent and enforceable emissions reductions. in making this showing, the State must demonstrate that air quality improvements are the result of actual enforceable emissions reductions. Has ADEQ done this for the years 2005 up to 2016?

Can ADEQ use its major new source review program as a growth management strateg for industry in the Yuma area?

It appears that controls measures were implemented to 1994 but a gap exists between 1994 and 2000. The State has not made an adequate demonstration that the improvement in air quality between 1994 and 2000 was not due to favorable meteorology during this time.

What controls are being implemented between 2005 and 2016 and how much PMIO emissions reduction is being derived from these controls?

**Has** EPA fully approved Arizona's nonattainment **NSR** program?

Has EPA fully approved Arizona's Prevention of Significant Deterioration PSD) program?

Does Arizona have permitting provisions to assure that the control requirements applicable to major stationary sources of PMIO in the Yuma area also apply to major stationary sources of PMIO precursors?

What is the technical difference between the RACM and BACM contained in the plan?

**PMIO SOURCES:**
Have the sources of PMIO in the Yuma area significantly change since 1985 to the present?

The overall $PM_{10}$ trends shown in the figures and tables in the TSD depict elevated, above-standard concentrations in the mid 1980s and early 1990s. What were the sources contributing to those concentrations?



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Re-entrained dust from paved roads, driving on unpaved roads and earthrnoving associated with construction and other sources contribute more than 70 percent of the coarse particulates in Arizona. Do these sources account for the same amount of particulate matter here in Yuma?

How does the increase of allowable emissions from the existing point sources and a projected increase in emissions from onroad mobile sources affect the attainment inventory?

**NONATTAINMENT AREA:**
Is the nonattainment area boundary a realistic boundary for the projected urban growth of the Yuma area up to 2016? Is growth projected for outside this boundary by 2016?

The nonattainment area should be expanded southward to the U.S.-Mexican border to include the growing community of San **Luis** and ay future development that might occur between Yuma and the Mexican border.

**OTHER PLANS:**
ADEQ completed a state implementation plan for the Yuma Moderate PMIO Nonattainment Area in 1991 and updated the plan in 1994. What is the current legal status of the 1991 plan and the 1994 update and how can the public review copies of these plans?

**REDESIGNATION:**
What criteria did ADEQ use to develop the request for redesignation?

Information in the maintenance plan states that ADEQ must guarantee maintenance of the PMIO NAAQS ten years after EPA redesignates this area to attainment. This year is exactly ten years from the outyear. It seems like ADEQ should have submitted these documents in 2004, if not before, to assure they would comply with the ten year requirement or extend the outyear to 2017, if not further. If EPA has to propose these documents for public comment, there will be even a less margin between the time of EPA proposal and eventual redesignation and 2016.

With regard to new industrial sources, once the Yuma area is redesignated to attainment and becomes a maintenance area, how does the maintenance NSR programs differ from the nonattainment NSR program?

Once Yuma is redesignated, will new statlonary sources in the Yuma area have to apply Best Achievable Control Technology (BACT)or Lowest Achievable Emission Rate (LAER) technology?

Will Arizona retain the requirement to obtain offsets for new and expanding major sources in the Yuma PMIO Maintenance Area?

Thank you for the opportunity to comment.



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Sincerely,

*Arturo Alavez*

Arturo Alvarez, P.E.



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ADEQ
AIR QUALITY DIVISION
06 APR 26 AM 11:09

ORIGINAL

PROPOSED YUMA PM-10 MAINTENANCE PLAN AND
TECHNICAL SUPPORT DOCUMENT

YUMA, ARIZONA

TUESDAY, APRIL 4, 2006

ORAL PROCEEDING

PREPARED FOR:

ORIGINAL

**BORT COURT REPORTING SERVICE**
REGISTERED PROFESSIONAL REPORTERS
220 South Second Avenue
Yuma, Arizona 85364
Phone: (928) 782-7591

BY: CHRISTINE BEMISS, RPR
CERTIFIED COURT REPORTER
ARIZONA CCR NO. 50073

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SIP'S/RULES UNIT SUPERVISOR
10
ANDRA JUNIEL
11 AIR QUALITY PLANNER

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P R O C E E D I N G S

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MR. MC CABE: WELL, GOOD AFTERNOON. WELCOME TO THIS PUBLIC HEARING ON THE PROPOSED YUMA PM-10 MAINTENANCE AND TECHNICAL SUPPORT DOCUMENT, WHICH WE'LL REFER TO AS THE T.S.D. FROM NOW.

THE HEARING IS NOW OPEN.

THE DATE IS TUESDAY, APRIL 4TH, 2006, AND THE TIME IS A FEW MINUTES AFTER 4:00 P.M.

THE LOCATION IS THE CITY OF YUMA PUBLIC WORKS TRAINING ROOM AT 155 WEST 14TH STREET, YUMA, ARIZONA 85364.

MY NAME IS SEAN MC CABE. I'M AN ENVIRONMENTAL PROGRAM SUPERVISOR IN THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY'S WATER QUALITY DIVISION, AND I'VE BEEN APPOINTED BY THE A.D.E.Q. DIRECTOR TO CONDUCT THIS HEARING.

THE PURPOSES OF THIS HEARING ARE TO PROVIDE THE PUBLIC AN OPPORTUNITY TO, ONE, HEAR ABOUT THE SUBSTANCE OF THE PROPOSED YUMA PM-10 MAINTENANCE PLAN AND T.S.D.; AND, TWO, TO ASK ANY QUESTIONS YOU MIGHT HAVE CONCERNING THE PROPOSED MAINTENANCE PLAN AND T.S.D.; AND, THREE, TO PRESENT ORAL ARGUMENT, DATA, AND VIEWS CONCERNING THE PROPOSED MAINTENANCE PLAN AND T.S.D. IN THE FORM OF COMMENTS ON THE RECORD.

IN ADDITION TO MYSELF, A.D.E.Q. AIR QUALITY REPRESENTATIVES ARE HERE. WE HAVE STEVE PEPLAU, ASSESSMENT SECTION MANAGER; DEBORRAH MARTINKOVIC, SECTION RULES SUPERVISOR; AND ANDRA JUNIEL, AIR QUALITY PLANNER.

ALL RIGHT. IF YOU PLAN TO MAKE A PUBLIC COMMENT ON THE RECORD, THE PROCEDURE IS STRAIGHTFORWARD. YOU MAY HAVE NOTICED THE SPEAKER SLIPS ARE AVAILABLE AT THE SIGN-IN TABLE. PLEASE COMPLETE A SPEAKER SLIP AND BRING IT UP TO US HERE AT THE TABLE. WE HAVE THREE SO FAR. USING SPEAKER SLIPS ALLOWS EVERYONE AN OPPORTUNITY TO BE HEARD AND ALLOWS US TO MATCH THE NAME ON THE OFFICIAL RECORD WITH THE COMMENTS.

IF YOU HAVE NOT ALREADY SUBMITTED WRITTEN COMMENTS, YOU MAY SUBMIT THEM TO ANDRA JUNIEL TODAY IN PERSON. THE END OF THE COMMENT PERIOD IS 5:00 P.M. TODAY, TUESDAY, APRIL 4TH, 2006. IF MAILED, E-MAILED, OR FAXED, WRITTEN COMMENTS MUST BE RECEIVED IN OUR OFFICE IN PHOENIX BEFORE OR BY 5:00 P.M. TODAY. SUBMIT YOUR WRITTEN COMMENTS TO ANDRA JUNIEL, AIR QUALITY PLANNING SECTION, ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY, 1110 WEST WASHINGTON STREET, THIRD FLOOR, PHOENIX, ARIZONA 85007.

THE FAX NUMBER IS (602) 771-2366. AN E-MAIL ADDRESS IS ALJ@AZDEQ.GOV.

STATE AND FEDERAL LAWS REQUIRE THAT COMMENTS MADE DURING THE FORMAL COMMENT PERIOD BE CONSIDERED BY A.D.E.Q. IN THE PREPARATION OF THE FINAL MAINTENANCE PLAN AND FINAL T.S.D. THIS IS DONE THROUGH A.D.E.Q'S PREPARATION OF A RESPONSIVENESS SUMMARY AND FINAL MAINTENANCE PLAN AND T.S.D. IN WHICH THE DEPARTMENT RESPONDS IN WRITING TO BOTH WRITTEN AND ORAL COMMENTS MADE DURING THE FORMAL COMMENT PERIOD.

THE AGENDA FOR THIS HEARING IS SIMPLE. FIRST, ANDRA JUNIEL WILL PRESENT A BRIEF OVERVIEW OF THE PROPOSED MAINTENANCE PLAN. STEVE PEPLAU WILL PRESENT A BRIEF OVERVIEW OF THE PROPOSED T.S.D.

THEN WE'LL CALL A QUESTION AND ANSWER PERIOD TO ANSWER ANY QUESTIONS YOU MIGHT HAVE AND PROVIDE INFORMATION THAT MAY HELP YOU IN MAKING COMMENTS ON THE PROPOSED MAINTENANCE PLAN AND T.S.D.

AND, THIRD, WE'LL ACTUALLY CONDUCT THE ORAL COMMENT PERIOD AT WHICH TIME YOU'LL NEED TO MAKE YOUR ACTUAL COMMENTS.

I'LL CALL THE SPEAKERS IN ORDER IN WHICH I'VE RECEIVED THEIR -- YOUR SPEAKER SLIPS AT THAT TIME.

PLEASE BE AWARE THAT ANY COMMENTS YOU MAKE AT TODAY'S HEARING THAT YOU WANT THE DEPARTMENT TO FORMALLY CONSIDER MUST BE GIVEN EITHER IN WRITING OR ON THE RECORD DURING THE ORAL COMMENT PART OF THE PROCEEDINGS.

1 AT THIS TIME ANDRA JUNIEL WILL PROVIDE A BRIEF
2 OVERVIEW OF THE PROPOSED YUMA PM-10 MAINTENANCE PLAN.
3 AT THE CONCLUSION OF ANDRA'S PRESENTATION, MR. PEPLAU
4 WILL GIVE A BRIEF OVERVIEW OF THE PROPOSED T.S.D.
5 MR. JUNIEL: THE YUMA AREA WAS DESIGNATED AS A
6 MODERATE PM-10 NONATTAINMENT AREA BY OPERATION OF THE
7 1990 CLEAN AIR ACT AMENDMENTS. THE AREA VIOLATED THE
8 24-HOUR PM-10 NATIONAL AMBIENT AIR QUALITY STANDARDS, OR
9 N.A.A.Q.S., IN 1990 AND 1991. IT VIOLATED THE ANNUAL
10 N.A.A.Q.S. IN 1989 AND AGAIN IN 1990. A.D.E.Q.
11 COMPLETED A STATE IMPLEMENTATION PLAN, OR S.I.P., TO
12 ATTAIN A STANDARD FOR THE YUMA MODERATE PM-10
13 NONATTAINMENT AREA IN 1991.
14 ALTHOUGH THE PLAN DEMONSTRATED ATTAINMENT OF
15 THE 24-HOUR AND ANNUAL N.A.A.Q.S. THROUGH REASONABLE
16 AVAILABLE CONTROL MEASURES, OR R.A.C.M.'S, BY DECEMBER
17 31ST, 1994, E.P.A. FOUND THE PLAN TO BE INCOMPLETE.
18 A.D.E.Q. IDENTIFIED ADDITIONAL R.A.C.M.'S BEING
19 IMPLEMENTED IN THE YUMA AREA AND UPDATED THE PLAN IN
20 1994. BASED ON THESE ADDITIONAL CONTROL MEASURES, THE
21 1994 PLAN DEMONSTRATED ATTAINMENT OF THE PM-10
22 N.A.A.Q.S. BY EVEN A GREATER MARGIN.
23 A.D.E.Q. ADOPTED THE 1994 ATTAINMENT PLAN AND
24 SENT IT TO E.P.A.; HOWEVER, E.P.A. DID NOT ACT ON THE
25 S.I.P.

1 SINCE 1994, THE YUMA AREA STILL HAD NOT
2 VIOLATED EITHER THE 24-HOUR OR ANNUAL N.A.A.Q.S., AND
3 WITH SEVERAL YEARS OF CLEAN DATA, A.D.E.Q. BEGAN
4 DEVELOPING A MAINTENANCE PLAN AND REDESIGNATION REQUEST
5 FOR THE YUMA AREA. A.D.E.Q. BEGAN WORKING WITH THE
6 STAKEHOLDERS IN JULY 2001. A.D.E.Q. IDENTIFIED THE
7 VARIOUS STAKEHOLDERS IN THE YUMA AREA, INCLUDING LOCAL
8 JURISDICTIONS, THE METROPOLITAN PLANNING ORGANIZATION,
9 THE AGRICULTURAL COMMUNITY, THE CONSTRUCTION INDUSTRY,
10 TRAFFIC LAW ENFORCEMENT, FEDERAL AGENCIES, TWO NATIVE
11 AMERICAN TRIBES, THE WATER USERS' ASSOCIATION AND
12 IRRIGATION DISTRICTS, AND THE ARIZONA DEPARTMENT OF
13 TRANSPORTATION.
14 ON AUGUST 18TH, 2002, HOWEVER, AN EXCEEDANCE OF
15 THE 24-HOUR N.A.A.Q.S. OCCURRED. AS A RESULT OF THIS
16 EXCEEDANCE, DEVELOPMENT OF THE MAINTENANCE PLAN WAS
17 POSTPONED.
18 THE EXCEEDANCE ON AUGUST 18TH, 2002, WAS DUE TO
19 A HIGH WIND EVENT, A TYPE OF NATURAL EVENT COVERED BY
20 E.P.A.'S NATURAL EVENTS POLICY, OR N.E.P. THE N.E.P.
21 STATES THAT BEST AVAILABLE CONTROL MEASURES, B.A.C.M.'S,
22 CONTAINED IN THE N.E.A.P. STRATEGIES MUST BE IMPLEMENTED
23 FOR CONTRIBUTING SOURCES OF PM-10 WITHIN THREE YEARS
24 AFTER THE FIRST N.A.A.Q.S. VIOLATION ATTRIBUTED TO HIGH
25 WIND EVENTS.

1 A.D.E.Q. WORKED WITH THE YUMA AREA STAKEHOLDERS
2 TO IDENTIFY B.A.C.M.'S TO BE IMPLEMENTED ON THE
3 SIGNIFICANT SOURCES OF PM-10 ON THE HIGH WIND DAY.
4 INCLUDED IN THESE B.A.C.M.'S WAS THE YUMA AREA
5 AGRICULTURAL BEST MANAGEMENT PRACTICES, AG B.M.P.,
6 PROGRAM. A.D.E.Q. WORKED WITH THE YUMA AGRICULTURAL
7 COMMUNITY TO DEVELOP THE AG B.M.P.'S FOR THE YUMA AREA.
8 THE B.A.C.M.'S WERE INCLUDED IN A N.E.A.P. THAT WAS
9 SUBMITTED TO E.P.A. ON FEBRUARY 17TH, 2004.
10 THE B.A.C.M.'S ARE CURRENTLY BEING IMPLEMENTED
11 BY THE LOCAL JURISDICTIONS IN THE YUMA AREA TO REDUCE
12 PARTICULATES IN THE EVENT OF FUTURE HIGH WIND CONDITIONS
13 IN THE YUMA AREA.
14 CONSEQUENTLY, A.D.E.Q. COMPLETED A REPORT ON
15 THE IMPLEMENTATION OF THE B.A.C.M.'S CONTAINED IN THE
16 YUMA N.E.A.P. A.D.E.Q. SUBMITTED THE N.E.A.P.
17 IMPLEMENTATION REPORT TO E.P.A. ON AUGUST 17TH, 2005.
18 UPON SUBMISSION OF THE N.E.A.P. IMPLEMENTATION
19 REPORT, A.D.E.Q. RETURNED TO THE DEVELOPMENT OF A
20 MAINTENANCE PLAN FOR YUMA. THIS PROPOSED MAINTENANCE
21 PLAN AND ACCOMPANYING T.S.D. DEMONSTRATES AN ATTAINMENT
22 AND COMPLIANCE WITH THE PM-10 FEDERAL AND STATE
23 N.A.A.Q.S. THROUGH 2016 FOR THE YUMA AREA.
24 THE PROPOSED MAINTENANCE PLAN CONTAINS
25 MONITORING DATA, AN EMISSION INVENTORY, MODELING

1 RESULTS, AND CONTROL MEASURES FOR THE YUMA AREA. THE
2 PROPOSED T.S.D. IS A TECHNICAL ANALYSIS THROUGH WHICH
3 COMPLIANCE WITH THE N.A.A.Q.S. IS DEMONSTRATED.
4 THIS CONCLUDES THE OVERVIEW OF THE PROPOSED
5 MAINTENANCE PLAN, AND NOW STEVE PEPLAU, SECTION MANAGER
6 FOR A.D.E.Q. AIR ASSESSMENT SECTION, WILL GIVE A BRIEF
7 REVIEW OF THE T.S.D.
8 MR. PEPLAU: ALL RIGHT. THANK YOU, ANDRA.
9 THE T.S.D. EXPLAINS TWO ASPECTS OF THE YUMA
10 PM-10 CONDITIONS. FIRST, IT PRESENTS THE MONITORING
11 RECORD FOR 2002, 2003, AND 2004, SHOWING THAT THE PM-10
12 N.A.A.Q.S. ARE BEING MET.
13 SECOND, IT CONTAINS A TECHNICAL ANALYSIS THAT
14 DEMONSTRATES ATTAINMENT NOW AND ON THROUGH 2016. IT
15 ALSO CONTAINS A DISCUSSION OF THE VARIOUS AIR POLLUTION
16 CONTROLS AND THE EFFECTS OF THE CONTROLS ON EMISSIONS
17 AND AMBIENT AIR QUALITY IN THE YUMA VALLEY.
18 MONITORING OF PM-10 CONCENTRATIONS IN YUMA
19 SINCE 1985 DEMONSTRATES THAT THE ANNUAL PM-10 STANDARD
20 HAS BEEN MET SINCE 1991 AND THAT THE 24-HOUR STANDARD
21 HAS BEEN MET SINCE 1992. MONITORING CONDUCTED IN 2002
22 THROUGH 2004 SHOWS THAT THE MOST RECENT THREE YEARS ALSO
23 COMPLY WITH THESE STANDARDS.
24 THE SINGLE PM-10 EXCEEDANCE OCCURRED BECAUSE OF
25 AN UNUSUALLY TURBULENT DUST STORM ON AUGUST 18TH, 2002.

1 THE 24-HOUR AVERAGE PM-10 CONCENTRATION ON THAT DAY WAS
2 170 MICROGRAMS PER METER, WHICH IS ABOVE THE STANDARD OF
3 150. THE WINDS WERE STRONG ENOUGH TO QUALIFY THE
4 EXCEEDANCE AS A NATURAL EXCEPTIONAL EVENT. E.P.A.
5 CONCURRED WITH THE CLASSIFICATION OF THE EVENTS AS A
6 N.E.A.P., AND THE EXCEEDANCE WAS THEN EXCLUDED FROM
7 CONSIDERATION IN THE DETERMINATION OF ATTAINMENT STATUS.
8 THE YUMA COMMUNITY CONSIDERED THE NECESSARY MEASURES AND
9 IMPLEMENTED BEST AVAILABLE CONTROL MEASURES AS OUTLINED
10 IN THE AUGUST 2005 NATURAL EVENTS ACTION PLAN
11 IMPLEMENTATION REPORT. THESE EFFORTS HAVE ENABLED THE
12 1994 THROUGH 2004 CLEAN AIR RECORD TO STAND.
13 THE FOLLOWING CONCLUSIONS WERE DERIVED FROM THE
14 TECHNICAL ANALYSES CONTAINED IN THE T.S.D., TECHNICAL
15 SUPPORT DOCUMENT. THE MAIN SOURCES OF PM-10 FOR
16 WINDBLOWN DUST ARE VACANT AGRICULTURAL FIELDS AT ABOUT
17 51 PERCENT, MISCELLANEOUS DISTURBED AREAS AT 26 PERCENT,
18 AND UNPAVED AGRICULTURAL ROADS AT 17 PERCENT. THE MAIN
19 SOURCES OF PM-10 EMISSIONS ON LOW WIND DAYS ARE UNPAVED
20 ROADS AT 42 PERCENT, ROAD CONSTRUCTION AT 28 PERCENT,
21 AGRICULTURAL TILLAGE AT 15 PERCENT, AND REENTRAINED DUST
22 FROM PAVED ROADS AT 14 PERCENT.
23 THESE EMISSIONS WERE THEN MODELED TO REFLECT
24 CURRENT CONDITIONS AND CONDITIONS WITH THE APPLICATION
25 OF EMISSION CONTROLS FOR 2000 THROUGH 2004. THE

1 MODELING DEMONSTRATED THAT NUMEROUS CONTROL MEASURES TO
2 REDUCE PM-10 EMISSIONS IMPLEMENTED BY THE YUMA AREA
3 EMISSION SOURCES WILL MAINTAIN THE PM-10 AIR QUALITY
4 STANDARDS IN YUMA THROUGHOUT THE MAINTENANCE PERIOD OF
5 2005 THROUGH 2016 AND BEYOND.
6 THIS CONCLUDES THE OVERVIEW OF THE PROPOSED
7 T.S.D.
8 MR. MC CABE: WE'RE MOVING IN THE ORAL
9 PROCEEDING. ARE THERE ANY QUESTIONS REGARDING OUR
10 PRESENTATION SO FAR?
11 (NO RESPONSE.)
12 MR. MC CABE: ALL RIGHT. HEARING NONE, WE'LL
13 CONCLUDE THE QUESTION AND ANSWER PERIOD OF THIS
14 PROCEEDING AND MOVE ON TO THE ORAL COMMENTS.
15 I'M GOING TO CALL UP THE SPEAKERS. IF YOU'D
16 LIKE, THERE'S A MICROPHONE YOU CAN TURN ON AT THE STAND
17 HERE. YOU CAN USE IT. YOU DON'T HAVE TO.
18 THE FIRST SPEAKER IS LUIS MIRANDA.
19 MR. MIRANDA: GOOD AFTERNOON. MY NAME IS LUIS
20 MIRANDA, L-U-I-S, M-I-R-A-N-D-A. I'M THE ENVIRONMENTAL
21 PROGRAMS MANAGER FOR YUMA COUNTY. I JUST HAVE TWO
22 COMMENTS THAT I'D LIKE TO MAKE.
23 FIRST OF ALL, I'D LIKE TO THANK YOU, A.D.E.Q.,
24 FOR THEIR ASSISTANCE AND HARD WORK IN THE PREPARATION OF
25 THE PM-10 MAINTENANCE DOCUMENT. IT'S AN EXCELLENT

1 DOCUMENT, AND I'M SURE IT WILL MEET WITH FAVORABLE
2 INTENTION.
3 SECOND, I HAVE PREPARED SOME WRITTEN COMMENTS
4 FOR YOUR CONSIDERATION, AND HOPEFULLY THOSE COMMENTS
5 PROVIDED WILL BE USEFUL IN THE PREPARATION OF THE FINAL
6 PM-10 MAINTENANCE DOCUMENT, AND I'D LIKE TO GO AHEAD AND
7 SUBMIT THOSE TO YOU AT THIS TIME.
8 THAT'S ALL I HAVE. THANK YOU VERY MUCH.
9 MR. MC CABE: THANK YOU. SECOND SPEAKER WILL
10 BE MARIE STEWART.
11 MS. STEWART: HI. MARIE STEWART, M-A-R-I-E,
12 S-T-E-W-A-R-T. I'M WITH THE MARINE CORPS AIR STATION,
13 YUMA.
14 I WOULD JUST LIKE TO THANK YOU, A.D.E.Q. IT'S
15 BEEN A PLEASURE WORKING WITH YOU ON THE NATURAL EVENTS
16 ACTION PLAN AND THE MAINTENANCE PLANS. YOU PROVIDED
17 VALUABLE ASSISTANCE TO THE COMMUNITY DURING THIS
18 PROCESS. SOLUTIONS WERE FOUND THAT WERE NOT ONLY
19 WORKABLE BUT WILL HAVE A POSITIVE IMPACT ON THE AIR
20 QUALITY IN YUMA FOR YEARS TO COME.
21 THANK YOU.
22 MR. MC CABE: THANK YOU. AND OUR THIRD AND
23 POSSIBLY FINAL SPEAKER IS LUCY SHIPP.
24 MS. SHIPP: GOOD EVENING. I'M LUCY SHIPP,
25 L-U-C-Y, S-H-I-P-P.

1 WHEN WE FIRST STARTED THIS OVER FOUR YEARS AGO,
2 I WAS ON THE COUNTY BOARD OF SUPERVISORS -- IN FACT, I
3 BELIEVE I WAS CHAIRMAN OF THE BOARD OF SUPERVISORS --
4 AND A.D.E.Q. CAME DOWN AND SAID, "WE'RE FROM THE
5 GOVERNMENT. WE'RE HERE TO HELP." AND I CAN TELL YOU
6 THERE WAS SOME ANTAGONISM AND SOME SKEPTICISM AND A LOT
7 OF CONCERN, AND WE DIDN'T KNOW WHAT YOU WERE GOING TO DO
8 TO US, AND GRADUALLY OVER THE MEETINGS WE DISCOVERED
9 WHAT YOU WERE DOING WAS FOR US, AND YOU EDUCATED US, YOU
10 WALKED US THROUGH THE PROCESS. WE LEARNED ALL THESE
11 TERMS IN -- YOU KNOW, WE GOT THE S.I.P. AND THE R.A.C.M.
12 AND THE NATURAL EVENTS ACTION PLAN, AND THEN THERE'S A
13 B.A.C.M. AND THERE'S AN AGRICULTURE B.M.P. AND A WHOLE
14 NEW LANGUAGE FOR US, AND YOU WERE SO PATIENT AND YOU
15 TOOK THE TIME TO SHOW US WHAT NEEDED TO BE DONE AND HOW
16 YOU WERE GOING TO HELP US GET IT DONE, AND YOU LISTENED,
17 PARTICULARLY YOU LISTENED TO THE AGRICULTURAL COMMUNITY.
18 AND I KNOW WHEN YOU FIRST CAME DOWN HERE AND HAD THOSE
19 BIG NUMBERS ABOUT HOW TERRIBLE THE AGRICULTURAL
20 COMMUNITY WAS MESSING UP OUR AIR, BUT YOU SAT DOWN AND
21 TALKED WITH THEM AND LOOKED AT THEIR NUMBERS AND YOUR
22 NUMBERS AND YOU WORKED THEM THROUGH.
23 STEVE, YOU WERE WONDERFUL MASSAGING ALL THOSE
24 NUMBERS.
25 AND, ANDRA, YOU WERE GREAT COMING DOWN HERE.

1 I ESPECIALLY HAVE TO THANK NANCY WRONA BECAUSE
2 SHE HELD OUR HANDS, AND AS NEW BOARD MEMBERS CAME ON, AS
3 NEW PUBLIC CAME ON, AGAIN THE PATIENCE TO EXPLAIN WHAT
4 THE PROBLEM WAS, WHERE WE WERE, HOW WE GOT HERE, AND NOW
5 WHERE WE'RE GOING TO GO TO FIX IT. AND BY GOD, WE DID
6 IT. YOU DID IT. WE DID IT. AND WE'RE GOING TO GET
7 THIS ATTAINMENT STATUS AND WE'RE GOING TO BE GOOD PEOPLE
8 AND WE'RE GOING TO KEEP THE DUST DOWN AND WE'RE GOING TO
9 KEEP IT, AND THERE'S JUST NO WAY IN THE WORLD TO SAY
10 THANK YOU AND WHAT A PLEASURE IT HAS BEEN WORKING WITH
11 EVERY ONE OF YOU. THANK YOU VERY MUCH.
12 MR. MC CABE: THANK YOU, MISS SHIPP.
13 WE'VE GOT SPEAKER GREG FERGUSON.
14 MR. FERGUSON: DID SHE LEAVE IT ON? IS IT ON.
15 I JUST WANT TO FOLLOW IN WHAT LUCY SAID, ONLY
16 IT WASN'T FOUR YEARS AGO, IT WAS FIVE YEARS AGO. WHEN I
17 GOT HIRED BY THE ARIZONA DEPARTMENT OF ENVIRONMENTAL
18 QUALITY IN JANUARY OF 2001, I GOT CALLED IN JACKIE
19 SCHAFER'S OFFICE AND WAS SENT TO HER AND I WAS TOLD TO
20 MAKE THIS HAPPEN, AND I KNEW -- I WENT DOWN TO THE AIR
21 SECTION AND MET WITH SHERRI -- I CAN'T REMEMBER HER LAST
22 NAME.
23 MR. MC CABE: ZENDRI.
24 MR. FERGUSON: YEAH. SHERRI ZENDRI LOOKED AT
25 ME LIKE I WAS CRAZY BECAUSE, "WHO ARE YOU? ARE YOU

1 INSANE? WE'RE NOT GOING TO DO THAT. THAT WILL TAKE
2 YEARS." AND THEN MATT MATHEWSON, WHO WAS MY BOSS FROM
3 TUCSON, WALKED IN AND LOOKED AT SHERRY AND GOES, "NO,
4 HE'S NOT JOKING. HE'S SERIOUS. WE'RE GOING TO MAKE
5 THIS HAPPEN."
6 AND WE -- YOU'VE BEEN WITH US THROUGH THICK AND
7 THIN. I THINK THE ONLY ONE THAT'S BEEN HERE THROUGH
8 START AND FINISH IS ANDRA. YOU WERE PART OF THE
9 ORIGINAL ONE IN 1991 SO YOU KNOW PROBABLY MORE ABOUT
10 YUMA COUNTY THAN ANYBODY HERE.
11 BUT, ANYWAY, WE MADE IT HAPPEN. WE'VE HAD --
12 I'VE LEFT, LUCY LEFT, JACKIE'S GONE. WE'VE CHANGED -- I
13 THINK WE'VE CHANGED GOVERNORS IN THAT PERIOD. I DON'T
14 KNOW. I MEAN, IT'S BEEN A TOTAL, YOU KNOW, CHANGE, BUT
15 YOU GUYS HAVE STUCK WITH US. NANCY -- NANCY'S BEEN
16 THERE WITH US, STUCK WITH US, AND IT'S TAKEN FIVE YEARS
17 AND WE'VE HAD A FEW DETOURS, BUT WE'VE MADE IT HAPPEN,
18 AND I THANK YOU GUYS FOR STICKING WITH US, ESPECIALLY
19 ANDRA.
20 MR. MC CABE: THANK YOU.
21 ARE THERE ANY OTHER PERSONS WHO WOULD LIKE TO
22 MAKE ANY ORAL COMMENTS OR SUBMIT WRITTEN COMMENTS AT
23 THIS TIME?
24 MS. GEORGE: MR. CHAIRMAN, I HAVE A LOUD VOICE
25 IF I MAY PROCEED FROM HERE.

1 MR. MC CABE: SURE. OKAY.

2 MS. GEORGE: I HAVE A COUPLE OF CONCERNS. ONE
3 OF THEM IS THE DATA THAT WAS COLLECTED. AND I MENTIONED
4 THIS AT THE LAST MEETING WHEN WE WERE DISCUSSING THE
5 PERMIT FOR THE REFINERY. AND THE DATA WAS COLLECTED
6 FROM A SINGLE MONITOR 24 MILES OR MORE AWAY FROM THE
7 MAJOR POLLUTING SOURCES. THE MAJOR POLLUTING SOURCE IS
8 GOLD WATER RANGE, AND THAT'S NUMBER ONE WITH OVER
9 300,000 POUNDS OF PM-10 PER YEAR. MUCH OF IT IS
10 DEPLETED URANIUM. AND THE SECOND ONE IS B.L.M., AND
11 THEY'VE DONE A LOT OF BURNING. THERE'S A LOT OF ROCK
12 CORING AS WELL THAT WAS -- THAT WAS EXCLUDED. MOST OF
13 THAT MONITORING WAS DONE MORE -- IT WAS DONE ON SUNDAY
14 OR MONDAY, WHEN THINGS ARE VERY QUIET.

15 THE OTHER THING THAT TROUBLED ME VERY MUCH
16 ABOUT THIS, THE REFINERY IN PARTICULAR, WAS WHEN I FIRST
17 STARTED WATCHING IT, BUT IT DIDN'T MAKE SENSE TO ME THAT
18 SO MUCH WAS LEFT OUT OF THOSE REPORTS. AND THEN THE
19 SPOKESPERSON FOR ARIZONA CLEAN FUELS, WHICH IS THE ONE
20 TRYING TO BUILD THIS REFINERY IN CONJUNCTION WITH THE
21 CARLISLE GROUP, HALIBURTON SAID, "WE HAVE MORE THAN 24
22 PEOPLE WHO HAVE DONATED MORE THAN 30 MILLION DOLLARS TO
23 GET THE RESEARCH AND DEVELOPMENT TO GET THIS AIR QUALITY
24 PERMIT." IT DOESN'T TAKE 30 MILLION DOLLARS TO DO THE
25 RESEARCH AND DEVELOPMENT UNLESS A LOT OF THAT WENT INTO

1 LOBBYING.

2 IT CONCERNS ME VERY MUCH. I DON'T THINK -- AND

3 THEN THERE ARE MANY PEOPLE IN YUMA THAT ARE JUST

4 LAUGHING BECAUSE A COUPLE OF WEEKS AFTER THAT PERMIT WAS

5 ISSUED WE HAD AN AIR ALERT AND IT WAS NOT A WINDY DAY.

6 WE ALSO HAVE FREQUENT INVERSIONS, AND WITH THE

7 HEAVY CHEM TRAILING BETWEEN HERE AND TUCSON OVER THE

8 LAST FOUR YEARS, AIR INVERSIONS LAST LONGER AND ARE MORE

9 SEVERE.

10 WE HAVE ONE OF THE HIGHEST CANCER RATES, THE

11 HIGHEST ASTHMA RATE IN THE COUNTRY, ONE OF THE HIGHEST

12 CHILD LEUKEMIA RATES, AND AIR QUALITY IS VERY CLOSELY

13 TIED TO ALL OF THOSE.

14 I DID ISSUE A LETTER TO A.D.E.Q. THE LAST TIME

15 I WAS HERE. I'VE RECEIVED NO RESPONSE FROM THEM. I DID

16 GET A RESPONSE FROM SENATOR DE CONCINI, HOWEVER, TWO

17 DAYS LATER.

18 THAT'S ALL I WANTED TO SAY.

19 MR. MC CABE: ALL RIGHT. DID YOU GET THE NAME?

20 THE COURT REPORTER: (SHAKES HEAD.)

21 MR. MC CABE: COULD YOU GIVE YOUR NAME AND

22 AFFILIATION?

23 MS. GEORGE: THERESE GEORGE.

24 MR. MC CABE: THANK YOU.

25 ANYBODY ELSE?

(NO RESPONSE.)

MR. MC CABE: ALL RIGHT. WELL, THAT WILL CONCLUDE THIS ORAL COMMENT PERIOD OF THE PROCEEDING. I ENCOURAGE EVERYBODY TO SUBMIT WRITTEN COMMENTS ON THE PROPOSED MAINTENANCE PLAN AND T.S.D. YOUR PARTICIPATION IS AN ESSENTIAL PART OF THE S.I.P. PROCESS AND WE THANK YOU FOR ATTENDING.

THE TIME IS NOW 4:25, AND I CLOSE THIS ORAL PROCEEDING.

THANK YOU FOR ATTENDING.

(WHEREUPON, THE PROCEEDINGS CONCLUDED.)

* * * * *

1 STATE OF ARIZONA)
) SS.
2 COUNTY OF YUMA )

3 BE IT KNOWN THAT THE FOREGOING PROCEEDING WAS
4 TAKEN BEFORE ME, CHRISTINE BEMISS, A CERTIFIED COURT
5 REPORTER IN AND FOR THE STATE OF ARIZONA; THAT THE
6 PROCEEDINGS THERETO WERE TAKEN DOWN BY ME IN MACHINE
7 SHORTHAND AND THEREAFTER PRODUCED UNDER MY DIRECTION;
8 THAT THE FOREGOING 18 PAGES ARE A TRUE AND CORRECT
9 TRANSCRIPT OF ALL PROCEEDINGS HAD, ALL DONE TO THE BEST
10 OF MY SKILL AND ABILITY.
11 I FURTHER CERTIFY THAT I AM IN NO WAY RELATED
12 TO ANY OF THE PARTIES HERETO, NOR AM I IN ANY WAY
13 INTERESTED IN THE OUTCOME HEREOF.
14 DATED AT YUMA, ARIZONA, THIS 17TH DAY OF APRIL,
15 2006.
16
17
18 Christine Bemiss
CHRISTINE BEMISS, RPR, CCR
19 ARIZONA CCR NO. 50073,
CALIFORNIA CCR NO. 10082
20
21
22
23
24
25

Janet Napolitano
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.azdeq.gov

Stephen A. Owens
Director

## Public Hearing Presiding Officer Certification

I, Sean McCabe, the designated Presiding Officer, do hereby certify that the public hearing held by the Arizona Department of Environmental Quality was conducted on April 4, 2006, at the City of Yuma Public Works Department, Yuma, Arizona, in accordance with public notice requirements by publication in the Yuma Daily Sun dated March 3 and March 17, 2006. Furthermore, I do hereby certify that the public hearing was record from the opening of the public record through concluding remarks and adjournment, and the transcript provided contains a full, true, and correct record of the above-referenced public hearing.

Dated this 3rd day of August 2006.

Sean McCabe

State of Arizona )
) ss.
County of Maricopa )

Subscribed and sworn to before me by Sean McCabe this 3rd day of August 2006

MARIANNE FRAUSTO
Notary Public - Arizona
Maricopa County
Expires 08/31/09

Marianne Frausto
Notary Public

My commission expires:

Northern Regional Office
1801 W. Route 66 • Suite 117 • Flagstaff, AZ 86001
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

*Printed on recycled paper*

# APPENDIX K.2

## Documentation for Comment Period Ending August 7, 2006

# Publisher's Affidavit of Publication

oOo

**STATE OF ARIZONA }**
COUNTY OF YUMA }

Julie Moreno or Lee Knapp, having been first duly sworn, deposes and says: that The Sun is a newspaper of general circulation published daily in the City of Yuma, County of Yuma, State of Arizona; that (s)he is the publisher or business manager of said paper; that the NOTICE OF PUBLIC COMMENT PERIOD REVISIONS

a printed copy of which, as it appeared in said paper, is hereto attached and made a part of this affidavit, was published in The Sun

For ONE issues; that the date of the first publication of said NOTICE OF PUBLIC COMMENT PERIOD REVISIONS

was JULY 13 ,2006 and the date of the last publication being JULY 13 ,2006 and that the dates when said NOTICE OF PUBLIC COMMENT PERIOD REVISIONS

was printed and published in said paper were JULY 13, 2006

Julie Moreno

Subscribed and sworn to before me, by the said Julie Moreno or Lee Knapp

13th day of July, 2006

Virgen P. Perez Notary Public

My commission expires May 10, 2009

OFFICIAL SEAL
VIRGEN P. PEREZ
Notary Public State of Arizona
YUMA COUNTY
My Comm. Expires MAY 10, 2009

**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY NOTICE OF PUBLIC COMMENT PERIOD REVISIONS TO THE MAINTENANCE PLAN AND TECHNICAL SUPPORT DOCUMENT FOR THE YUMA PM10 NONATTAINMENT AREA**

The Arizona Department of Environmental Quality is conducting a 30-day public comment period to receive comments on revisions to the maintenance plan and technical support document for the Yuma PM10 Nonattainment Area. The maintenance plan is the final step in redesignating the Yuma area to attainment for the National Ambient Air Quality standards for particular matter of 10 microns or less (PM10).

These revisions are to the maintenance plan and technical support document originally opened for comment beginning March 3, 2006, with close of comment at the public hearing held in Yuma on April 4, 2006.

Written comments must be received at ADEQ by 5:00 p.m. on Monday, July 31, 2006. Persons may request an opportunity to hold a public hearing. The 30-day comment period meets the requirements for public notice under Arizona Revised Statutes § 41-1023.

All written comments should be addressed, faxed, or e-mailed to:

**Diane Arnst**
**Arizona Department of Environmental Quality -**
Air Quality Division
1110 West Washington Street,
Phoenix, AZ 85007
FAX: (602) 771-2366
E-Mail: **arnst.diane@azdeq.gov**

Copies of the revisions are available for review on the ADEQ website at **http://www.azdeq.gov/environ/air/plan/notmeet.html#yuma, and the following location:**

Arizona Department of
Environmental Quality Library
First Floor
1110 W. Washington Street
Phoenix, Arizona 85007
Attn: Lorri Cona, (602) 771-2217
Daily July 13, 2006 #L32869

# Publisher's Affidavit of Publication

oOo

**STATE OF ARIZONA }**
COUNTY OF YUMA }

Julie Moreno or Lee Knapp, having been first duly sworn, deposes and says: that The Sun is a newspaper of general circulation published daily in the City of Yuma, County of Yuma, State of Arizona; that (s)he is the publisher or business manager of said paper; that the NOTICE OF PUBLIC COMMENT PERIOD - EXTENSION

a printed copy of which, as it appeared in said paper, is hereto attached and made a part of this affidavit, was published in The Sun

For ONE issues; that the date of the first publication of said NOTICE OF PUBLIC COMMENT PERIOD - EXTENSION

was JULY 13 ,2006 and the date of the last publication being JULY 13 ,2006 and that the dates when said NOTICE OF PUBLIC COMMENT PERIOD - EXTENSION

was printed and published in said paper were JULY 13, 2006

Subscribed and sworn to before me, by the said Julie Moreno or Lee Knapp

13th day of July, 2006

Notary Public

My commission expires May 30, 2009

OFFICIAL SEAL
VINGEN P. PEREZ
Notary Public State of Arizona
YUMA COUNTY
My Comm. Expires May 30, 2009

**Arizona Department of Environmental Quality**
**NOTICE OF PUBLIC COMMENT PERIOD - EXTENSION**
**Revisions to the Maintenance Plan and Technical Support Document for the Yuma PM10 Nonattainment Area**

The Arizona Department of Environmental Quality is conducting a 30-day public comment period to receive comments on revisions to the maintenance plan and technical support document for the Yuma PM10 Nonattainment Area. The maintenance plan is the final step in redesignating the Yuma area to attainment for the National Ambient Air Quality standards for particular matter of 10 microns or less (PM10).

These revisions are to the maintenance plan and technical support document originally opened for comment beginning March 3, 2006, with close of comment at the public hearing held in Yuma on April 4, 2006.

Written comments must be received at ADEQ by 5:00 p.m. on Monday, August 7, 2006, an extension of the original deadline of July 31st due to revisions to Chapter 4 of the Maintenance Plan. Persons may request an opportunity to hold a public hearing. The 30-day comment period meets the requirements for public notice under Arizona Revised Statutes § 41-1023.

All written comments should be addressed, faxed, or e-mailed to:

**Diane Arnst**
Arizona Department of Environmental Quality - Air Quality Division
1110 West Washington Street, Phoenix, AZ 85007
FAX: (602) 771-2366
E-Mail: arnst.diane@azdeq.gov

Copies of the revisions are available for review on the ADEQ website at **http://www.azdeq.gov/environ/air/plan/notmeet.html#yuma, and the following location:**

**Arizona Department of Environmental Quality Library**
First Floor,
1110 W. Washington Street
Phoenix, Arizona 85007
Attn: Lorri Cona, (602) 771-2217
Daily July 13, 2006 #L32867

## Andra Juniel - Yuma plan

**From:** <Ycbos5@aol.com>
**To:** <arnst.diane@azdeq.gov>
**Date:** 7/4/2006 3:59 PM
**Subject:** Yuma plan

I offer the following correction:
Table F-3, Appendix F. Years are shown as numbers: e.g. 1,999, 2,005, 2,016.
Greg Ferguson
Yuma County Board of Supervisors

I am unable to find the public comments?

July 13TH, 2006

Diane Arnst
Arizona Department of Environmental Quality – Air Quality Division
1110 West Washington Street
Phoenix, AZ 85007

Dear Ms. Arnst,

The Yuma County Farm Bureau would like to make the following comments on the revisions to the Maintenance Plan and the Technical Support Document for the Yuma PM10 Non-attainment Area.

First we would like to compliment ADEQ staff of laboring diligently to understand the sources of PM10 in Yuma County. Agriculture is an especially difficult area to analyze due to the general public's limited knowledge about agriculture, and the high variability of production techniques used. ADEQ staff has spent countless hours in the field with Yuma area farmers to see what was really happening, and gained an appreciation of the sophistication and variation that exist in Yuma area agriculture.

Secondly, appendix C of the Technical Support Document does an excellent job of addressing the inaccuracies about Yuma County agriculture that was presented in Pechan and Associates report, 2004. One thing we would like to see emphasized is the difference between Harvested Acres and Net Acres. The Yuma areas ability to double crop significantly reduces the total amount of erodible acres. A good comparison would be between Maricopa's total cotton acreage of 84,300, a single season crop and Yuma's vegetable acreage of 83,500 that is double cropped. While Maricopa's cotton acreage sits fallow waiting for the start of the next season, Yuma's vegetable acreage is immediately being put back into production of a secondary crop. Also these secondary crops are harvested off of the same 83,500 vegetable acres, not an additional 83,500 erodible acres.

Thirdly, all tables concerning fallow fields, farm roads, and agricultural tilling and cultivating, that were derived from the Pechan and Associates report should be footnoted to Appendix C. Our concern is that some future reader of these documents may not read the entire reports and start making decisions based on flawed data. Some examples of the tables that we feel need to be footnoted are: 2-3, 2-4, 4-2, 4-3, 4-13, 5-3, 5-4.

Thank you for the opportunity to comment on both the Maintenance Plan and the Technical Support Document for the Yuma PM10 non-attainment area.

Sincerely,

Harold Maxwell
Yuma County Farm Bureau

**From:** "Harold Maxwell" <hmaxwell@boothmachineryinc.com>
**To:** <arnst.diane@azdeq.gov>
**Date:** 7/25/2006 10:52:21 AM
**Subject:** Comments on Yuma PM10 Plan

Diane,

Upon reviewing chapter 4 of the PM10 plan I have found what I believe may be an error. On page 4-6 the charts indicate 16,798 acres of Unpaved Agricultural Roads for 1999 and 16,633 acres for 2016. I believe that these numbers were calculated when ADEQ thought that there were 181,000 acres in agricultural production in the non-attainment area. Per ADEQ's discussions with the Farming Community, it was determined that there were no more than 74,000 acres in production within the non-attainment area. The 74,000 acre number is reported on page 4-4 of the plan. According to Bobbi McDermott, with the ASCS office here in Yuma, the U S Department of Agriculture uses a 2% figure to calculate the reduction in gross acres due to roads, canals and ditches here in Yuma. If ADEQ was to use the 2% figure to estimate true number of acres of farm field roads then the number should be around 1,480 acres. We would appreciate if you would review this area of Yuma's PM10 plan.

Sincerely,

Harold Maxwell
Yuma County Farm Bureau

**CC:** "David Sharp" <davidsharp@hughes.net>