

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

PRELIMINARY DRAFT STAFF REPORT

Rule 9410 (Employer Based Trip Reduction)

January 26, 2009

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I. SUMMARY

Reducing mobile source emissions is key to the success of the San Joaquin Valley's (Valley) attainment strategies for the federal 8-hour ozone and PM_{2.5} (particulate matter that is 2.5 microns or less in diameter) standards. About 75% of the Valley's oxides of nitrogen (NO_x) emissions come from mobile sources, and NO_x is a key ingredient in both ozone and secondary particulate matter formation. However, state and federal laws preempt the San Joaquin Valley Air Pollution Control District's (District) authority to regulate tail-pipe emissions for mobile sources.

The California Air Resources Board (ARB) is responsible for regulating emissions from on-road motor vehicles, and ARB also establishes fuel specifications for California. Local governments, such as cities and counties, can influence air quality by addressing emissions from vehicles in their land-use and transportation planning processes and projects. For example, reducing urban sprawl and increasing street connectivity reduce emissions and help improve air quality.

While the District cannot regulate the vehicles themselves or the fuels the vehicles use, the District can reduce mobile source emissions through other avenues. The District's Emissions Reduction Incentive Program (ERIP) provides financial incentives so older engines are replaced with newer, cleaner engines years before these engines would be required through regulation or natural attrition. The District encourages carpooling, trip linking, and similar activities through Healthy Air Living, the District's principle public outreach effort. Through the District's Indirect Source Review (ISR) rule, the increased vehicle miles traveled that results from new development is mitigated through on-site

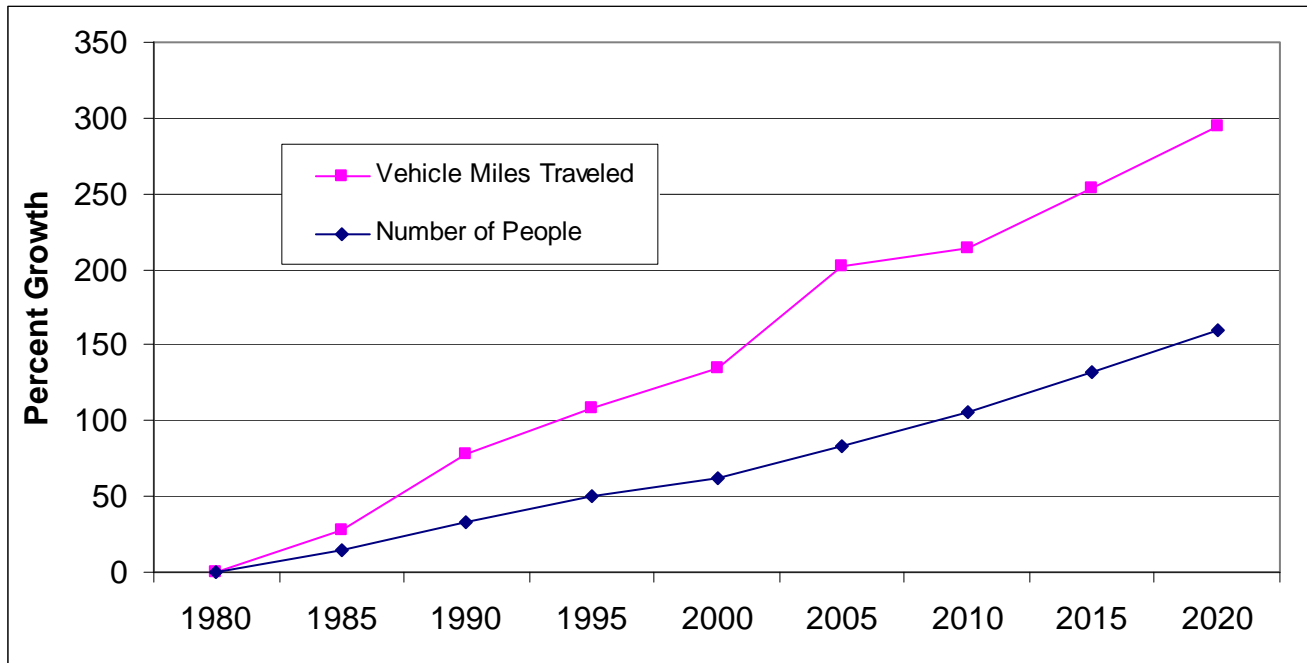
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and off-site reductions. The District will also reduce vehicle emissions through adoption and implementation of Rule 9410, Employer Based Trip Reduction. The District committed to this rule in both the *2007 Ozone Plan* and the *2008 PM2.5 Plan*.

A. Reasons for Rule Development and Implementation

Between 2000 and 2020, the population of the San Joaquin Valley is expected to grow by 60%. In contrast, the total population for the state of California is expected to grow 29% over the same time period.¹ Population growth typically leads to increased vehicle activity and increased emissions of ozone precursors, undermining the progress made by regulations even though newer automobiles pollute less than older models. Furthermore, the Valley's total vehicle miles traveled (VMT) is increasing at an even faster rate than the population (see Figure 1). So the Valley has more people, and they're generally driving more.

Figure 1 San Joaquin Valley Percent Growth in Population and Vehicle Miles Traveled as compared to 1980



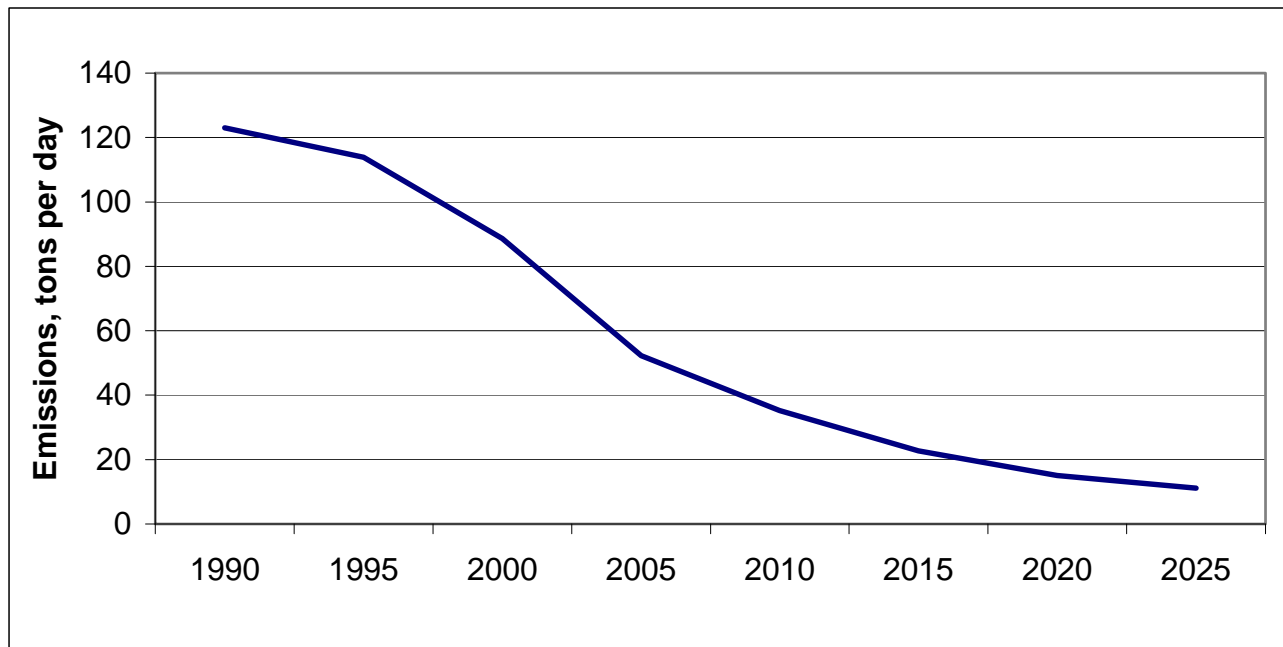
¹ Based on data obtained from www.arb.ca.gov/app/emsinv/trends.em_trends.php, developed using reports from the California Department of Finance.

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Despite VMT increases, total passenger vehicle emissions have decreased significantly with improvements in technology and fuel formulations (see Figure 2). However, with EPA's new health-based standards for PM_{2.5} and 8-hour ozone adopted in 2006 and 2008, respectively, the immense attainment challenges before the Valley demand further reductions from a variety of sources. Employer Based Trip Reduction will achieve the additional mobile source emissions reductions needed to contribute to the Valley's progress towards EPA's increasingly stringent air quality standards.

According to the Department of Transportation's (DOT) National Household Travel Survey², as a nation-wide average, trips to and from work account for 17% of all private vehicle trips (see Figure 3). The survey also found that private vehicle use is the largest mode of transportation to and from work, accounting for about 92% of all work commutes (see Figure 4).

Figure 2 Mobile Source Emissions, Light Duty Passenger and Light Duty Trucks



² The 2001 surveys were released in July 2005. A 2008 update is in progress with a target completion date in fall 2009.

Figure 3 Private Vehicle Trip Purposes, 1990-2001

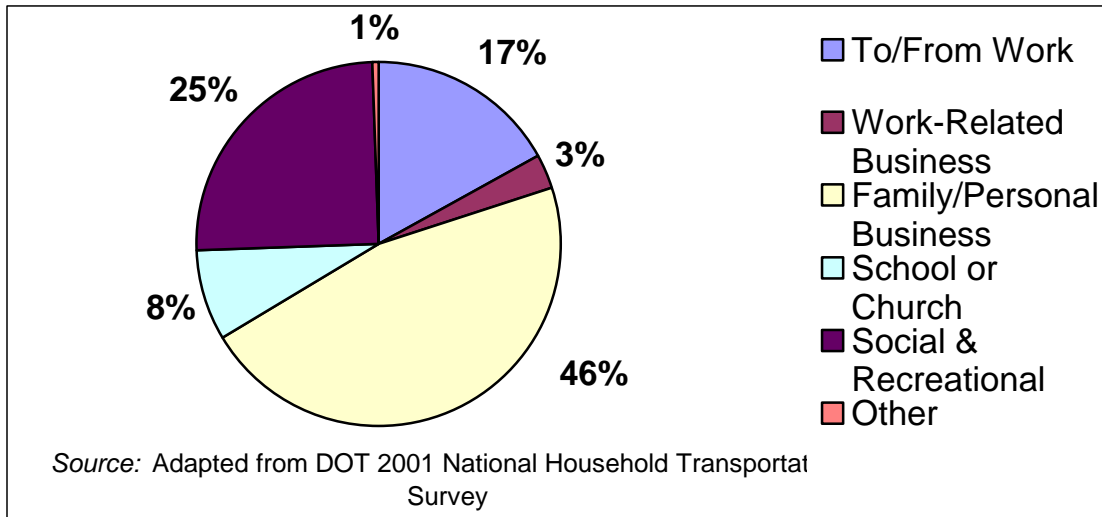
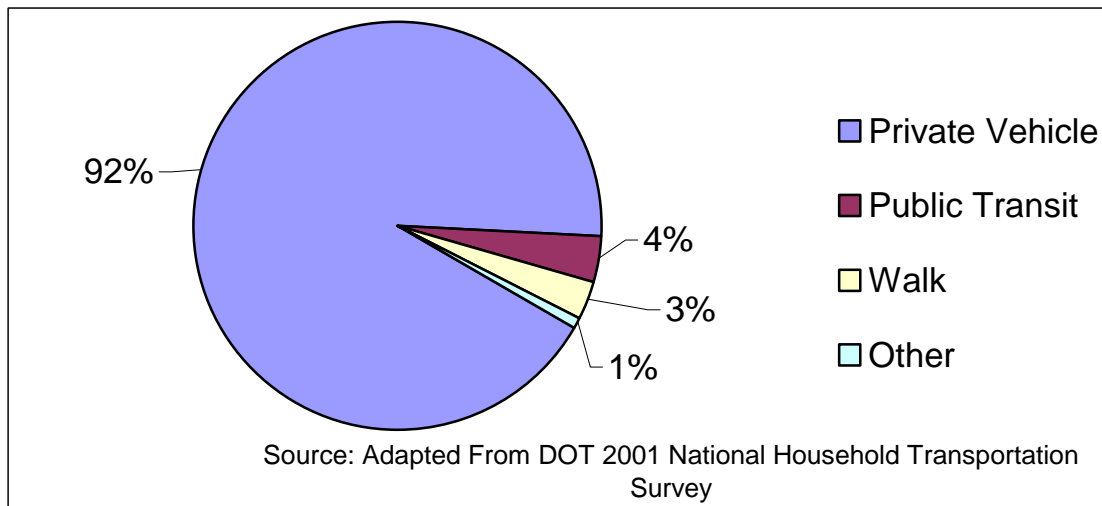


Figure 4 Modes of Transportation To and From Work, 1990-2001



The DOT survey also found that average vehicle occupancy to and from work has declined since 1977, and the average distance for commuting to work has continued to increase over the same time period (see Figure 5). The work commute is not the only arena where vehicle miles traveled can be reduced, but it carries some significant advantages and benefits. For example, carpooling to work is convenient in that coworkers are going to the same place at the same time. Using carpooling to decrease

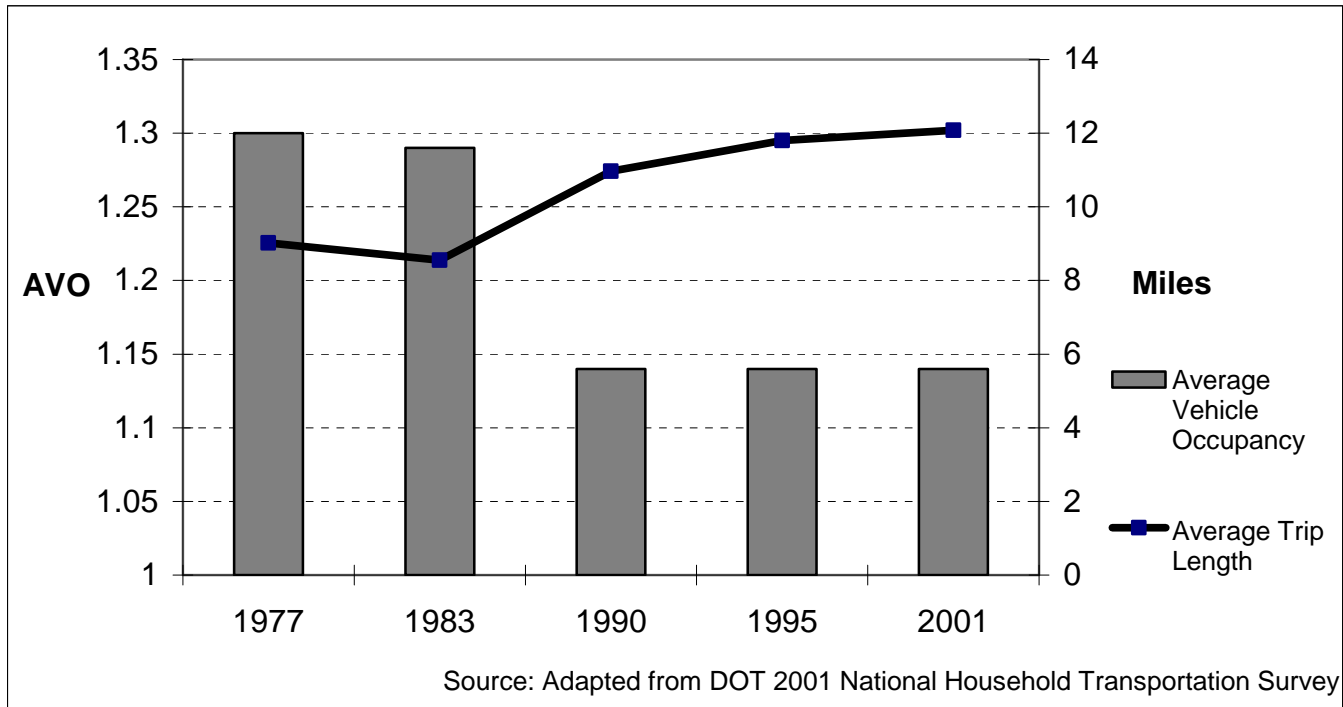
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single occupancy vehicle use and vehicle miles traveled during the common work commute times can decrease congestion as well as improve air quality.

Figure 5 Average Vehicle Occupancy (AVO) and Trip Length To and From Work



The San Joaquin Valley Air Basin is designated nonattainment for the National Ambient Air Quality Standard (NAAQS) for 8-hour ozone and for PM2.5. The Valley is also nonattainment for the California ozone and PM standards. By reducing VMT, Rule 9410 can decrease emissions of ozone precursors, direct PM2.5, and PM2.5 precursors. Decreasing VMT can also contribute to efforts to reduce greenhouse gases (GHG).

B. Description of Project

Consistent with the District's plan commitments, Rule 9410 would require larger employers (those with 100 or more employees) to establish employee trip reduction programs to reduce VMT, reducing emissions associated with work commutes. The specific requirements will be drafted and refined during the rule development process. Program elements under consideration include:

- Menu option-based trip reduction program implementation
- Tiered mitigation measures based on employer size
- Emissions or VMT reduction targets; Average Vehicle Ridership (AVR) targets

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- Partnership with well-established ride-share programs
- Environmental Protection Agency's (EPA) "Best Workplaces for Commuters" recognition
- Toolkits and/or training for employers
- Periodic reporting requirements to evaluate performance

C. Rule Development Process

As part of the rule development process, District staff will conduct public scoping meetings in February 2009. The main focus of the scoping meetings is to present the goals of the project and to obtain early feedback from stakeholders. At the scoping meetings, District staff will:

- Present the objectives of the proposed rulemaking project
- Explain the District's rule development process
- Solicit suggestions from affected stakeholders on how best to achieve the goals of the project
- Inform all interested parties about upcoming workshop dates, comment periods, and project milestones

The knowledge gathered during the scoping meetings will be incorporated into a Draft Rule 9410 that will be presented in future workshops, and each workshop will be followed by a public comment period. The comments received from the public, affected stakeholders, ARB, and EPA during the public workshop process will be incorporated in subsequent drafts of the rule as appropriate.

The proposed rule and staff report will be published prior to a public hearing before the District Governing Board to consider adoption of Rule 9410 in the fourth quarter of 2009.

II. BACKGROUND

A. History and Legislative Authority

On January 20, 1994, the District Governing Board adopted Rule 9001 (Commute Based Trip Reduction) in response to California Clean Air Act (CCAA) requirements to reduce single occupancy commute vehicle trips and to reduce motor vehicle emissions. In October 1995, Senate Bill (SB) 437 created Health and Safety Code (H&SC) section 40929(a) (renumbered to 40717.9), which prohibited any public agency from requiring an employer to implement an employee trip reduction program unless expressly required by federal law. District staff determined that Rule 9001 was inconsistent with

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the new H&SC section, so the District ceased enforcement of the trip reduction rule as of October 9, 1995, and the rule was repealed on February 15, 1996.

More recent legislation gives the District authority to implement measures such as an employer based trip reduction rule or a commute options program:

- 2008 California Assembly Bill (AB) 2522 (Arambula) authorizes the San Joaquin Valley Air District to adopt rules and regulations to reduce vehicle trips in order to reduce air pollution from vehicular sources (H&SC Section 40612(a)(2)).
- 2003 California SB 709 (Florez) authorizes the San Joaquin Valley Air District to adopt rules and regulations to require businesses that employ at least 100 people to establish a rideshare program (H&SC Section 40601(d)).

Also, under Clean Air Act Section 182(d)(1)(B) and 182(e), severe and extreme nonattainment areas may adopt control measures requiring employers to implement programs to reduce work-related vehicle trips and miles traveled by employees.

The District's *2007 Ozone Plan* identified Employer Based Trip Reduction as one of the innovative strategies for reducing ozone precursors. The *2008 PM_{2.5} Plan* also committed to adopt a rule requiring employers with 100 or more employees to establish employee trip reduction programs.

III. DISCUSSION

A. Potential Requirements of Rule 9410

The District is considering a menu-based approach for Rule 9410, with tiers based on employer size. The District is soliciting comments on:

- The applicability of the rule: which employers would be obliged to comply
- What measures might be included in the Trip Reduction Menu list
- How many tiers there should be, what employer sizes should be assigned to which tiers, and how many menu options each tier should be required to implement
- Whether employers should have an emissions reductions target, how targets should be set, and what tools might be used to track progress towards targets
- What monitoring and reporting requirements should be put in place

Possible mitigation measures include:

- Carpooling
- Vanpooling
- Transit passes

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- Flex schedule
- Telecommuting
- Teleconferencing
- Order-in lunches
- Break and lunch activities
- Monetary incentives
- Ride matching services
- Providing on-site facilities such as:
 - Lockers and showers
 - Bike racks
 - Cafeteria area
- Providing on-site services such as:
 - ATM
 - Postal service
 - Bike or car repair
- Shuttle system
- Bikes for use during work hours

B. Regulations in other California Districts

South Coast Air Quality Management District adopted Rule 2202 On-Road Motor Vehicle Mitigation Options on February 6, 2004. The rule requires employers with 250 or more employees throughout the district to reach an Emissions Reduction Target depending on designated zones. Rule 2202 provides a menu of options to achieve reductions, one of which is Employee Commute Reduction Program. This option requires registration of the employer and the implementation of a trip reduction plan. South Coast AQMD offers a toolbox of ways to achieve commute reductions within Rule 2202.

Bay Area Air Quality Management District's Rule 1 Trip Reduction Requirements for Large Employers, under Regulation 13, was adopted in 1992 and vacated by SB 437 (Lewis) in 1996. This rule required employers with 100 or more employees to implement a trip reduction plan. Currently, Bay Area AQMD promotes voluntary employer based trip reduction programs through their Transportation Control Measures (TCMs) stated in the 2000 Clean Air Plan and updated in the 2005 Ozone Strategy. TCM 1 states that the Metropolitan Transportation Commission will continue to administer the regional ridesharing program funded by Bay Area AQMD's Transportation Fund for Clean Air (TFCA). TFCA also funds TCM 13 Transit Use Incentives providing 58 employers with monthly transit passes, TCM 14 Rideshare and Vanpool Services, and TCM 16 Intermittent Control Measure/Public Education Spare the Air Program which is currently partnered with 1,021 employers.

C. Successful Trip Reduction Programs

There is a multitude of employer based and regional programs in and outside of California that provide services to reduce VMT and emissions. Though they have been successful, the efforts still remain voluntary in nature and limited in scope. Mandatory trip reduction programs have the potential to provide widespread change and achieve significant reductions in VMT.

Most successful programs combine both alternative commute options while providing on-site services to reduce trips during lunch and breaks as well. There are various elements of trip reduction programs that help make them successful. Some widely utilized program components include the following:

Transportation Options

- **Carpooling** is one of the most common elements of a trip reduction program. It allows employees to share the expenses of driving to work while also decreasing congestion and pollution. Offering incentives to increase carpool participation is also helpful in offsetting the possible inconvenience of carpooling. Some incentive options include preferential parking, monetary incentives and guaranteed ride home service.
- **Ride matching**, such as through a database or interactive map, is a helpful tool to aid in finding and forming carpools.
- **Vanpools** are very similar to carpools and are relatively easy to implement and coordinate. Vanpools have become more accommodating especially for those who may have a longer commute since vans can typically hold more passengers than a carpool. Vanpools help to reduce even more vehicle trips in place of multiple carpools used to hold the same amount of people. Offering vanpool subsidies is an effective way to encourage participation, helping to offset the costs of starting a vanpool and driving a larger vehicle.
- **Shuttles** can be used to transport employees between work and a nearby park and ride or common lunch area. Shuttles also work especially well for large employers that may have multiple offices or multiple employers in a business complex to reduce vehicle trips for short distances.
- **Discounted Transit Passes** and easy access to transit information encourages employees to utilize mass transit by making it more convenient. Table 1 summarizes some of the major Valley bus systems.

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Table 1 Valley Bus Information

City	Bus System	Fare	Website	Hours Available	Routes Available Online
Bakersfield	GET (Golden Empire Transit)	\$0.90	www.getbus.org/	6:00am-10:45pm	Yes
Clovis	Stageline and FAX Route 28	\$1	www.cityofclovis.com/UMAP.asp?FolderID=249	6:00am-8:25pm	Yes
Fresno	FAX (Fresno Area Express)	\$1	www.fresno.gov/DiscoverFresno/PublicTransportation/default.htm	5:30am-10:00pm	Yes
Hanford	KART (Kings Area Rural Transit)	\$1	www.kartaits.com/karthome.htm	5:50am-11:00pm	Yes
Lodi	Grape Line	\$1	www.loidi.gov/transit/introductions.html	6:00am-7:00pm	Yes
Madera	MAX (Madera Area Express)	\$0.75	www.maderactc.org/pubtrans.html	7:00am-6:30pm	Yes
Manteca	Manteca Transit	\$1	www.ci.manteca.ca.us/mantecatransit/general.htm	6:00am-7:00pm	Yes
Merced	The BUS	\$1	www.mercedthebus.com/index.html	7:00am-6:00pm	Yes
Modesto	MAX (Modesto Area Express)	\$1.25	www.modestoareaexpress.com/default.htm	6:30am-6:00pm	Yes
Porterville	Porterville Transit	\$1	www.portervilletransit.org/	7:00am-7:00pm	Yes
Stockton	RTD (Regional Transit District)	\$1.50	www.sanjoaquinrtd.com/Default.htm	6:00am-10:45pm	Yes
Tracy	Tracer	\$1	www.mvtransit.com/Tracer_home.htm	7:00am-7:00pm	Yes
Turlock	BLAST (Bus Line Service of Turlock)	\$1.25	www.ci.turlock.ca.us/citydepartments/development/services/transitservices/blastbus/	5:35am-6:15pm	Yes
Visalia	VCC (Visalia City Coach)	\$1	www.ci.visalia.ca.us/depts/transit/visalia_city_coach(vcc)/default.asp	6:00am-9:30pm	Yes

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There are many programs operating regionally throughout California to provide alternative transportation services such as ride matching, commute calculators, employer resources, incentives and discounts and Guaranteed Ride Home services. Though it is not nearly exhaustive, the following list is of a few notable programs in the San Joaquin Valley.

- Commute Connection is a regional rideshare program operated by the San Joaquin Council of Governments and helps commuters find suitable alternative transportation options. The program includes free services such as commuter ride matching, Guaranteed Ride Home and employer assistance, while raising public awareness about the connection between transportation choices, air quality, and traffic congestion. Commute Connection currently serves almost 10,000 commuters in San Joaquin, Stanislaus, Calaveras and Tuolumne Counties.
- Kern Commuter Connection serves Kern county offering information on carpooling, vanpooling and other modes of alternative transportation as well as air quality and road information and employer resources.
- South Valley Rideshare is an innovation of Visalia City Coach in collaboration with the Kings County Area Public Transit Agency serving Madera, Fresno, Kings, Tulare, and Kern Counties. The website provides listings of open carpools and vanpools and provides other transit information.
- Valley Rides is a cooperative effort between California State University Fresno and the Council of Fresno County Governments serving the Central Valley students and businesses. Valley Rides offers information on park and ride lots in the area and carpooling tips.

The following worksites have successfully incorporated carpooling, vanpooling, or other mass transit options in their trip reduction efforts:

- The San Joaquin Valley Air District currently operates a voluntary Alternative Transportation Incentive Program for its employees. This program provides monetary incentives and preferential parking for those who use alternative modes of transportation, such as carpooling, biking, and public transit for at least 60% of commutes to and from work. Currently, this program has about 37% participation and has been a role model for the Valley.
- Paramount Farms in Northwestern Kern County operate employee vanpools for its sites in Lost Hills and Kings County.
- Pelco in Fresno has a wide variety of employee focused programs that reduce vehicle miles travelled, including bike to work and bus incentives.
- IKEA Wholesale in Bakersfield participates in and encourages carpooling and other alternative transportation with subsidies and competitions between employees.
- Tejon Ranch is implementing a vanpool to serve the many employees at IKEA and Tejon Industrial Complex.

- Diamond Foods in Fowler are in the process of getting bus service to their site and will provide a bus schedule to all employees.
- Frito-Lay is establishing a rideshare program at the worksites in Crows Landing and Bakersfield to help reduce vehicle trips.
- Cal State University Bakersfield encourages student use of busses by subsidizing bus passes, and by sponsoring an Alternative Transportation Day. They are also exploring ways to get more people involved such as incentivizing alternative transportation with gift drawings.
- Chevron facilities in Fresno operate vanpools to outlying field areas.
- Aera Energy operates vanpools from the offices in Stockton.
- Dreyers Ice Cream in Bakersfield encourages their employees to walk, bike, and carpool to work.

On-site Amenities and Services

On-site amenities and services are extremely helpful in promoting alternative transportation. Offering additional benefits to employees makes choosing alternative transportation more convenient. Commonly offered amenities and services may include:

- Showers
- Lockers
- Bike racks
- Bike and car repair
- Guaranteed Ride Home service
- Postal service
- Dry cleaning
- Lunch delivery
- Fitness area and/or classes
- Cafeteria
- Child care

Programs currently in place that offer additional services to employees as a part of their trip reduction efforts include:

- The District offers its employees various amenities like showers and lockers, bike racks, bikes available for break and lunchtime use, lunch activities, postal services, order in lunches, and dry cleaning pickup and delivery. These additional services help reduce vehicle trips at lunch and for running errands, especially complementing those who do commute alternatively.
- Paramount Farms has a cafeteria in the Lost Hills facility to keep employees from commuting offsite for meals.
- Pelco has an onsite food service, postal services, and dry cleaning service helping to decrease additional trips employees need to make.
- IKEA contracts with a catering service to keep employees on site for meals.

- CSUB offers many internet classes and has dining facilities, postage facilities, and provides daycare for students and staff.
- The Chevron facility has a gym on site, provides lunch service, postal service, and bicycle storage.
- Aera Energy also has a gym on site, ATM, and provides lunch service for employees.
- Dreyers Ice Cream facility is planning on a cafeteria to serve employees better.

Alternative Work Schedules and Telecommuting

Flexible schedules and telecommuting are more ways to help reduce vehicle trips, congestion, and pollution.

- **Flexible schedules** can consist of allowing employees to start and end the workday at non-peak times or altering work schedules to reduce the amount of days traveling to work.
- **Telecommuting** is similar by allowing eligible employees to work from home on certain days. This again eliminates a day of commuting to and from work. Schedule alternatives are helpful in reaching goals of reduced vehicle trips but may not necessarily be an option to implement depending on the type of job.
- **Teleconferencing** is a great way to reduce vehicle trips to and from meetings that can be attended otherwise via teleconferencing. Teleconferencing makes more efficient use of time and gas used to attend meetings.

Many employers have incorporated flexible schedules, telecommuting, or video teleconferencing to help reduce employee trips and have had positive results.

- The District has implemented flexible work schedules, telecommuting and video teleconferencing to reduce vehicle trips to and from work and meetings. The District's flexible work schedule consists of working 9 days out of a two week period but still achieving 80 hours (9/80 schedule). This is done by working 9 hours a day Monday through Thursday and then 8 hours on the working Friday and then off on the second Friday therefore reducing a day of commuting to work.
- Paramount Farms saves travel with teleconferencing between offices in Lost Hills and Santa Monica, and allows employee telecommuting.
- Pelco allows flex work schedules to better suit employees.
- IKEA has a telecommuting program that allows some job classifications to work from home.
- Chevron also operates on a 9/80 schedule to help reduce vehicle trips.
- Aera Energy operates on a 9/80 schedule in addition to their other trip reduction efforts.
- Dreyers utilizes video-conferencing and telecommuting to cut down on travel.

Healthy Air Living

Healthy Air Living (HAL) is the Air District's campaign to help Valley residents and businesses make air quality a priority in day-to-day decision making. So far, the HAL campaign has provided public education informing Valley residents and businesses alternative transportation possibilities and ways to reduce emissions. The HAL initiative also offers toolkits to employers, including the Employee Trip Reduction Resource Book (found at <http://www.healthyliving.com/docs/Trip%20Reduction%20Book.pdf>) highlighting various considerations and strategies for adopting a trip reduction plan. The HAL program will continue to serve Valley residents, providing information on how to make changes affecting air quality in the Valley. Visit healthyliving.com/business.htm for more information.

D. Benefits of a Trip Reduction Program

The Employer Based Trip Reduction program is part of the District's strategy for bringing the San Joaquin Valley Air Basin into attainment of EPA's health-based air quality standards for PM_{2.5} and 8-hour ozone. A majority of the Valley's NO_x emissions come from mobile sources, and these emissions contribute to both ozone and PM concentrations. Employer based trip reduction programs can provide a step in reducing vehicle trips in the Valley to reduce mobile source emissions and improve air quality.

California Senate Bill 375

The District's Employer Based Trip Reduction rule can also reduce GHG emissions and help the Valley comply with California Senate Bill (SB) 375. Under SB 375, approved on August 22, 2008 and codified in the California Government Code and Public Resources Code, metropolitan planning organizations (MPOs) must adopt a Sustainable Communities Strategy as part of their regional transportation plans. SB 375 links regional planning to Assembly Bill (AB) 32, which requires the State of California to reduce greenhouse gas (GHG) emissions to 1990 levels no later than 2020. Under SB 375, ARB will provide MPOs with GHG emission reduction targets. The MPOs will then incorporate strategies like better use of mass transit and bicycle lanes as well as mixed-use or denser development practices into their Sustainable Communities Strategies to reduce GHG emissions. This effort and the District's Employer Based Trip Reduction are complementary programs, incorporating similar strategies to achieve separate goals.

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Additional Benefits

Workplace trip reduction programs can have a wide range of benefits, depending on how programs are implemented, and the benefits can affect multiple parties. Table 2 summarizes some of the potential benefits of trip reduction programs.

Table 2 Possible Benefits of a Trip Reduction Program

Benefits	Employee	Employer	Community
Decrease parking fees and costs	✓	✓	
Expanded employee benefits at low/no cost	✓	✓	
Lower absenteeism and tardiness	✓	✓	
Increased employment opportunities for disabled and others unable to meet traditional work hours	✓	✓	
Enhanced employee productivity through teleconferencing and telework options	✓	✓	
Increase in transport options	✓		✓
Increase road safety	✓		✓
Save money on gas	✓		
Decrease vehicle wear and tear	✓		
Boost mental health by decreasing stress from driving and traffic	✓		
Relieve overcrowded parking areas		✓	
Reduced overhead costs such as office space requirements if telecommuting		✓	
Tax Benefits		✓	
Enhanced employee recruitment and retention		✓	
Expanded service hours if changes made to work hour schedules		✓	
Reducing road and parking facility requirements		✓	
Decrease congestion			✓
Improve air quality			✓
Reduce road and traffic service costs			✓
More efficient land use			✓
Community livability			✓

IV. EMISSIONS REDUCTION ESTIMATE

Emissions reductions for proposed Rule 9410 are under review and will be determined at a later date in the rule development process.

V. ECONOMIC ANALYSIS

Although Rule 9410 would not apply to sources subject to District Permit Requirements, and it is not subject to the California Clean Air requirement for cost effectiveness analysis referenced for “Best Available Retrofit Control Technology (BARCT) rules.”

Staff will analyze the economic feasibility of the proposed rule. Pursuant to CH&SC 40728.5, District staff will prepare a socioeconomic analysis later in the rule development process.

VI. ENVIRONMENTAL IMPACTS

Pursuant to the California Environmental Quality Act (CEQA), District staff will investigate any potential environmental impacts of the proposed Rule 9410 later in the rule development process and recommend appropriate action to the District Governing Board.

VII. RULE CONSISTENCY ANALYSIS

Pursuant to CH&SC 40272.2, District staff will prepare a rule consistency analysis of Rule 9410 later in the rule development process.

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VIII. REFERENCES

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11. Southern California Commuter Solution <http://www.commutessmart.info/>
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