



**San Joaquin Valley Unified
Air Pollution Control District**

**Amendments to Rule 4703
(Stationary Gas Turbines)**

**Initial Study and
Negative Declaration**

September 2007



A. PROJECT BACKGROUND INFORMATION

1. Project Title: Proposed Amendments to Rule 4703 (Stationary Gas Turbines)

2. Lead Agency Name and Address:

San Joaquin Valley Unified Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno CA 93726-0244

3. Contact Person:

CEQA: Ms. Jessica Willis
(559) 230-5818

Rule: Mr. Saul Gamez
(559) 230-5800

4. Project Location:

The rule amendment applies to new and modified stationary sources located within the boundaries of the San Joaquin Valley Unified Air Pollution Control District (see Exhibit 1, Map of District boundaries).

5. Project Sponsor's Name and Address:

San Joaquin Valley Unified Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno, CA 93726

6. Assessor's Parcel Number:

Not applicable.

7. General Plan Designation/Zoning:

Not Applicable.



Exhibit 1 – Map of District Boundaries





8. Project Description:

This rulemaking project will amend Rule 4703 (Stationary Gas Turbines) to reduce NOx emissions from stationary gas turbines. This project is part of the District's ozone and particulate matter attainment strategies. To satisfy the attainment goals of the ozone and PM plans, this project will seek to obtain as many NOx emission reductions from each applicable source category as is expeditiously practicable, technologically feasible, and economically reasonable, as determined by the District's Governing Board. The rulemaking project is also intended to satisfy state and federal requirements.

The five (5) proposed amendments to Rule 4703 are described below:

- Amendment 1 - Existing Tier 2 NOx limits shown in Table 1 will be amended to become the new proposed Tier 3 limits shown below in Table 2.

Table 1: Existing Tier 2 NOx Compliance Limits

Turbine Classification Rating	Compliance Option (see Section 7.2)	NOx Compliance Limit, ppmvd at 15% O ₂	
		Gas Fuel	Liquid Fuel
a) Less than 2.0 MW Solar Saturn, driving a centrifugal compressor	Standard	50	50
b) No greater than 10 MW, if a DLN System is commercially available for the specific unit, as of April 30, 2003.	Standard	25	65
c) No greater than 10 MW, if a DLN System is not commercially available for the specific unit, as of April 30, 2003.	Standard	35	65
d) Greater than 10 MW, Combined cycle.	Standard	5	25
	Enhanced	3	25
e) Greater than 10 MW, Simple cycle, and permit condition for greater than 877 hrs/yr operation.	Standard	5	25
	Enhanced	3	25
f) Greater than 10 MW, Simple cycle, and permit condition for no greater than 877 hr/yr operation.	Standard	25	42
	Enhanced	5	25



Table 2 – New Tier 3 NOx Compliance NOx

Turbine Classification Rating	NOx Compliance Limit, ppmvd at 15% O ₂	
	Gas Fuel	Liquid Fuel
a) Less than 3 MW.	9	25
b) 3 MW to 10 MW and permit condition for less than 877 hrs/yr operation.	9	25
c) 3 MW to 10 MW and permit condition for 877 hrs/yr operation or greater.	5	25
d) Greater than 10 MW, Simple cycle, and permit condition for no greater than 200 hrs/yr operation.	25	25
e) Greater than 10 MW, Simple cycle, and permit condition for greater than 200 hrs/yr operation but no greater than 877 hrs/yr operation.	5	25

- Amendment 2 – In lieu of complying with the proposed Tier 3 limits, an operator of turbines equipped with NOx emission control device which results in emissions reduction of at least 95% would be considered as meeting the Tier 3 limits above.
- Amendment 3 – A new provision stating that a public service turbine operating during a Stage 1, Stage 2 or Stage 3 emergency, when such emergency is declared by the California System Independent Operator (CAISO), and when the unit is located in the specific geographic location identified in the proclamation, shall be excluded from loss of exemption due to exceeding the hour-per-year limit for the operation during the state of emergency. If the unit exceeds the hour-per-year limit based solely on operation outside of the state of emergency, or outside of the Stage 1, Stage 2 or Stage 3 emergency, then loss of exemption shall apply according to Section 6.5.1 of Rule 4703.
- Amendment 4 – A new provision for an Alternate Emission Control Plan (AECPP) to provide operators with greater flexibility in complying with the proposed emission limits. The proposed AECPP provisions include a 10 percent air quality benefit in order to address concerns that have been raised by EPA in the past for similar AECPP provisions in other District rulemaking projects.



- Amendment 5 - Compliance deadlines to meet the new Tier 3 limits will be:
 - Facilities with no more than 2 units: October 1, 2011 or within 90 days following the next Major Overhaul on or after July 1, 2009.
 - Facilities with more than two units: Within 90 days following the next Major Overhaul, any unit that is overhauled on or after July 1, 2009, and
 - By January 1, 2010, at least 25% of the total number of units on January 1, 2010 subject to Tier 3 Compliance Limits, and
 - By January 1, 2011, at least 62.5% of the total number of units on January 1, 2011 subject to Tier 3 Compliance Limits, and
 - By January 1, 2012, 100% of the total number of units on January 1, 2012 subject to Tier 3 Compliance Limits.

NOx Control Technology

The proposed Tier 3 NOx limits can be met through the use of Selective Catalytic Reduction (SCR) technology. Smaller units are usually not as efficient as larger units and have higher initial NOx emission rates. Therefore, the proposed Tier 3 NOx limits for units no greater than 10 MW are not as stringent as the limits for larger units.

District staff will submit the proposed amendments to Rule 4703 to the District Governing Board for consideration of adoption during a public hearing scheduled for September 20, 2007.

9. Other Agencies Whose Approvals Are Required and Permits Needed:

This project is a rule development project and does not require permits from any agency. The United States Environmental Protection Agency must approve the rule for inclusion into California's State Implementation Plan.

10. Name of Person Who Prepared Initial Study:

Mr. Saul Gamez
Air Quality Engineer



B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the proposed project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated", as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

C. DETERMINATION

I certify that this project was independently reviewed and analyzed and that this document reflects the independent judgment of the District.

- I find that the proposed project is exempt from CEQA requirements under Public Resource Code 15061 (b)(3), and a Notice of Exemption has been prepared.
- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Signature: J. Steven Worthley

Date: Sept. 20, 2007

Printed name: J. Steven Worthley,
 Title: Chair, Governing Board



D. ENVIRONMENTAL IMPACT CHECKLIST

I. AESTHETICS Would the proposal:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Affect a scenic vista or scenic highway?				X
b) Have a demonstrable negative aesthetic effect?				X
c) Create light or glare?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements that would affect aesthetics, as identified above.				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				
II. AGRICULTURE RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements that would affect agricultural resources, as identified above.				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				
III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X



III. AIR QUALITY (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	
<p>Discussion: (a-c) Proposed amendments to Rule 4703 is a rule development project. The San Joaquin Valley Air Basin is a non-attainment area for the state and federal ambient ozone and PM₁₀ standards. NO_x is a precursor to both ozone and PM₁₀. It is expected that the use of NO_x emission control devices will have positive effects on the air quality of the Valley. It is anticipated that some increased emissions of ammonia will result from the use of SCR control systems. The amount of ammonia emissions is assumed to be a small fraction of the amount of NO_x that is controlled and that the large, net, positive air quality benefit outweighs the small increase in fugitive ammonia emissions.</p> <p>(d) Selective Catalytic Reduction (SCR) technology would likely be used to comply with the proposed amendments. SCR uses ammonia in the presence of a catalyst to convert NO_x to harmless nitrogen and water vapor. California Office of Environmental Health and Hazard Assessment (OEHHA) has not classified ammonia as a carcinogen. However, ammonia does have acute and chronic health effects. The District's thresholds for significance for toxic impacts are a cancer risk greater than 10 in a million and/or a hazard index (HI) of 1.0 or greater for chronic non-carcinogenic or acute risks. The District's permitting process is such that a project cannot be permitted if the health risks exceed the District's Thresholds.</p> <p>(e) District Rule 4102 (Nuisance) applies to any source operation that emits or may emit air contaminants or other materials. In the event that a project creates a public nuisance, it could be in violation and be subject to District enforcement action. Also, since the olfactory organs can detect ammonia at very low concentrations, there is little chance that any long-term exposure at unhealthy concentrations could mistakenly occur.</p> <p>Mitigation: None</p> <p>Reference: Proposed amendments to Rule 4703 and supporting staff report.</p>				
IV. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X



IV. BIOLOGICAL RESOURCES (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting biological resources, as identified above.				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				
V. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting cultural resources, as identified above.				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				



VI. GEOLOGY/SOILS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting geology/soils, as identified above (a-e).				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				
VII. HAZARDS & HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	



VII. HAZARDS & HAZARDOUS MATERIALS (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Discussion: (a-h) Proposed amendments to Rule 4703 is a rule development project. The facilities that would be affected include industrial and commercial facilities located in industrial/commercial zones. Selective Catalytic Reduction (SCR) technology would likely be used to comply with the proposed amendments. SCR uses ammonia in the presence of a catalyst to convert NOx to harmless nitrogen and water vapor. California Office of Environmental Health and Hazard Assessment has not classified ammonia as a carcinogen. However, ammonia does have acute and chronic health effects. Acute exposure to ammonia at a concentration of 3,200 micrograms per cubic meter has been found to cause irritation of the eyes and respiratory tract. Higher concentrations cause conjunctivitis, laryngitis, and pulmonary edema. Long-term exposure to ammonia at concentrations of 200 micrograms per cubic meter or greater has been found to affect the respiratory tract. Since the olfactory organs can detect ammonia at very low concentrations, there is little chance that any long-term exposure at unhealthy concentrations could mistakenly occur. Also, since state and local safety regulations govern the handling, storage, and transport of ammonia, the potential for accidental release and acute exposure is minimized. Adherence to these regulations is anticipated to minimize significant impacts associated with the use of ammonia.

Some SCR systems can also use non-hazardous urea or aqueous ammonia injection to achieve the proposed emission limits without anhydrous ammonia. The use of anhydrous ammonia involves greater risk than aqueous ammonia because it is stored and transported under pressure. In the event of a leak or rupture of a tank, anhydrous ammonia is released and vaporizes. Aqueous ammonia is a liquid at ambient temperatures and gas is only produced when a liquid pool from a spill evaporates. Under current Office of Emergency Services regulations implementing the California Accidental Release Prevention program, aqueous ammonia is regulated under California Health and Safety Code Section 2770.1. The use of aqueous ammonia would further minimize any potential hazard impacts associated with anhydrous ammonia use. A limit on ammonia slip is normally included in permits to operate of stationary sources, which should minimize potential air quality impacts associated with ammonia slip from sources operating SCR. Furthermore, properly operating and well-maintained equipment could reduce the level of ammonia emissions. Therefore, the levels of ammonia emissions from potential ammonia slip are not expected to reach hazardous levels.

Certain catalysts used in SCRs may contain hazardous materials that must be properly disposed of at the end of their useful life. Existing waste disposal regulations are considered to be adequate to prevent any significant impact from occurring.



VII. HAZARDS & HAZARDOUS MATERIALS (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
In conclusion, the transportation, storage, and use of anhydrous ammonia, aqueous ammonia, or urea in conjunction with the operation of SCR as well as disposal of spent catalyst are not expected to have any adverse impacts on the environment as well as living things.				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				
VIII. HYDROLOGY/WATER QUALITY Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting hydrology/water quality, as identified above (a-i).				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				



IX. LAND USE/PLANNING Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting land use/planning as identified above (a-c).

Mitigation: None

Reference: Proposed amendments to Rule 4703 and supporting staff report.

X. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting mineral resources, as identified above (a-b).

Mitigation: None

Reference: Proposed amendments to Rule 4703 and supporting staff report.

XI. NOISE Would the project result in:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X



XI. NOISE (Continued):	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting noise, as identified above (a-f).				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				
XII. POPULATION/HOUSING Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting population/housing, as identified above (a-c).				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				



XIII. PUBLIC SERVICES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				X
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X
b) Cumulatively exceed official regional or local population projections?				X
c) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
d) Displace existing housing, especially affordable housing?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting public services, as identified above (a-d).				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				
XIV. RECREATION	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting recreation, as identified above (a-b).				
Mitigation: None				
Reference: Proposed amendments to Rule 4703 and supporting staff report.				



XV. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion: Proposed amendments to Rule 4703 is a rule development project. The project does not impose requirements affecting transportation/traffic, as identified above (a-g).

Mitigation: None

Reference: Proposed amendments to Rule 4703 and supporting staff report.

XVI. UTILITIES/SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X



XVI. UTILITIES/SERVICE SYSTEMS (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion: Proposed amendments Rule 4703 is a rule development project. Many of the turbines affected by this rule provide electrical power to the grid. Installation of SCR and other control systems will require electrical power for fans, electronics and control motors. This parasitic loss of power is not expected to result in any impact on the power generated by these units.

Mitigation: None

Reference: Proposed amendments to Rule 4703 and supporting staff report.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively Considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: (a-b) Proposed amendments to Rule 4703 is a rule development project. No significant adverse impacts on the categories outlined above are anticipated as a result of this project.

(c) Compliance with the proposed amendment to Rule 4703 has the potential to cause adverse effects on humans. However, as discussed in Section III. Air Quality (d, e) and Section VII. Hazards & Hazardous Materials (a-h), the impacts to human health risks are less than significant.

Mitigation: None

Reference: Proposed amendments to Rule 4703 and supporting staff report.



APPENDIX A

Comments and Responses for
Initial Study / Negative Declaration
Proposed Amendments to Rule 4703
(Stationary Gas Turbines)



The following party provided written comments on the proposed Initial Study/Negative Declaration. A copy of the respective comment letter is incorporated into this document as Attachment A. Comments C-1 through C-3 were directed toward the rule development process and were addressed within the Rule Development Staff Report. Comment C-4 was directed towards the CEQA process and is addressed herein.

City of Fresno, Department of Public Utilities, Wastewater Management Division:

Comment: The proposed Negative Declaration does not adequately assess the potential environmental impacts of the rule amendments. The loss of electrical and heat energy production resulting from the potential shut down of the facility as well as the increase in air emissions from the RWRF's waste gas flare have not been adequately environmentally assessed. The need to provide another source of redundant electrical power to insure the reliability of the treatment process must also be considered.

Response: The comment lacks evidentiary support that the amendment will result in the shutdown of the facility. However, should the turbines be shut down, the potential air emissions from the disposal of waste gas would be subject to District permitting requirements which would ensure the impact on air quality would be less than significant.

Specifically, the commentator indicated that biogas must be disposed through flaring. It is important to note that the commentator currently has one permitted flare (28.2 MMBtu/hr Varec 244; Permit No. C-535-3-2) located in the same facility as the turbines. The permit condition limits the flare NO_x emissions to 2.2 pounds per hour, which is more restrictive than the turbines' permit (C-535-18-1 and C-535-19-1) limit of 5.7 pounds per hour. Therefore, disposing the biogas through the flare under its current permitted NO_x limit if the turbines are shut down would not necessarily result in increased emissions. Additionally, since the current permit does not allow operation of the flare if the turbine is in operation, any operational change or potential increase in emissions of the flare would be subject to emission offset and Best Available Control Technology requirements of the District's Rule 2201 (New and Modified Stationary source Review Rule). In conclusion, District staff anticipates that shutting down the turbines would not result in significant adverse impact on air quality or significant increase in demand in electrical energy resources.