

INITIAL STUDY

A. PROJECT BACKGROUND INFORMATION

1. Project Title: Draft Rule 4550 (Conservation Management Practices)

2. Lead Agency Name and Address

San Joaquin Valley Unified Air Pollution Control District (District)
1990 E. Gettysburg Ave.
Fresno CA 93726

3. Contact Person:

CEQA: Ms. Renee DeVere
(559) 230-5800

Rule: Ms. Patia Siong
(559) 230-5800

4. Project Location:

The draft Rule applies to all new and existing agricultural operation sites 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 Ave.
Fresno CA 93726

6. Description of Project:

The Initial Study is based on a March 1, 2004 version of draft Rule 4550. The San Joaquin Valley Air Basin (SJVAB) is classified as a serious nonattainment area for the National Ambient Air Quality Standard (NAAQS) for PM10. The federal Clean Air Act requires areas designated as serious nonattainment for PM10 to implement Best Available Control Measure (BACM) and Best Available Control Technology (BACT) on all significant sources of emissions. In addition, due to the failure by the SJVAB to attain the NAAQS PM10 standard, the District is required to show a five percent per year reduction in PM10 or PM10 precursors emissions starting in 2003 until attainment is reached. The District is also required to demonstrate attainment of the NAAQS PM10 standards at the earliest possible date.

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District staff has identified agricultural sources as significant sources of emissions and a source for PM₁₀ emissions reduction. Agricultural sources are defined as any activity or portion of land associated with the commercial growing of crops or the raising of fowl or animals. Draft Rule 4550 (Conservation Management Practices) is part of the District's particulate matter attainment strategy. In this project, draft Rule 4550 would be developed to implement BACM on agricultural sources and to achieve PM₁₀ emission reductions to help meet the five percent per year reduction in PM₁₀ emissions.

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The District's 2003 PM10 Plan contains a commitment to implement the Conservation Management Practices (CMP) Program by July 2004. The 2003 PM10 Plan relies on emissions reduction expected from the CMP Program to achieve the mandated 5% per year reductions and to demonstrate attainment of annual and 24-hour PM10 standards.

7. Other Agencies Whose Approvals Is Required and Permits Needed:

No other agencies have discretionary authority over this project.

8. Project Compatibility with Existing Zones and Plans:

Adoption of draft Rule 4550 will not affect any land use zones or plans.

9. Name of Person Who Prepared Initial Study:

Renee DeVere
Air Quality Specialist

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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"/> Land Use and Planning | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Geophysical | <input type="checkbox"/> Water |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Energy and Mineral Resources |
| <input type="checkbox"/> Hazards | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Mandatory Findings of Significance |

C. DETERMINATION

I certify that this document reflects the independent judgment of the District.

- 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: _____ Date: _____

Printed name: Renee DeVere
Title: Air Quality Specialist

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D. ENVIRONMENTAL IMPACT CHECKLIST

Explanations of all answers on the check off list are located in Section E.

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
I. Geologic Problems: <i>Would the proposal result in or expose people to potential impacts involving:</i>				
a) Fault rupture?				X
b) Seismic ground shaking?				X
c) Seismic ground failure, including liquefaction?				X
d) Seiche, tsunami, or volcanic hazard?				X
e) Landslides or mudflows?				X
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?				X
g) Subsidence of the land?				X
h) Expansive soils?				X
i) Unique geologic or physical features?				X
II. Air Quality. <i>Would the proposal:</i>				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?				X
b) Expose sensitive receptors to pollutants?				X
c) Alter air movement, moisture, or temperature, or cause any change in climate?				X
d) Create objectionable odors?				X
III. Water. <i>Would the proposal result in:</i>				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?				X
b) Exposure of people or property to water related hazards such as flooding?				X
c) Discharge into surface water or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?				X
d) Changes in the amount of surface water in any water body?				X
e) Changes in currents, or the course or direction of water movements?				X
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability?				X

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	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
g) Altered direction or rate of flow of ground waters?				X
h) Impacts to groundwater quality?				X
i) Substantial reduction in the amount of water otherwise available for public water supplies?				X
IV. Biological Resources <i>Would the proposal result in impacts to:</i>				
a) Endangered, threatened, or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?				X
b) Locally designated species (e.g., heritage trees)?				X
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?				X
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?				X
e) Wildlife dispersal or migration corridors?				X
V. Noise. <i>Would the proposal result in:</i>				
a) Increases in existing noise levels?				X
b) Exposure of people to severe noise levels?				X
VI. Land Use and Planning. <i>Would the proposal:</i>				
a) Conflict with general plan designation or zoning?				X
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?				X
c) Be incompatible with existing land use in the vicinity?				X
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?				X
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?				X
VII. Energy and Mineral Resources. <i>Would the proposal:</i>				
a) Conflict with adopted energy conservation plans?				X
b) Use non-renewable resources in a wasteful and inefficient manner?				X
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?				X

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VIII. Hazards *Would the proposal involve:*

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)?
- b) Possible interference with an emergency response plan or an emergency evacuation plan?
- c) The creation of any health hazard or potential health hazard?
- d) Exposure of people to existing sources of potential health hazards?
- e) Increased fire hazard in areas with flammable brush, grass, or trees?

IX. Population and Housing. *Would the proposal:*

- a) Cumulatively exceed official regional or local population projections?
- b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?
- c) Displace existing housing, especially affordable housing?

X. Transportation/Circulation *Would the proposal result in:*

- a) Increased vehicle trips or traffic congestion?
- b) Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- c) Inadequate emergency access or access to nearby uses?
- d) Insufficient parking capacity on-site or off-site?
- e) Hazards or barriers for pedestrians or bicyclists?
- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?
- g) Rail, waterborne or air traffic impacts?

XI. Public Services. *Would the proposal affect, or result in a need for new or altered governmental services in any of the following areas:*

- a) Fire protection?
- b) Police protection?
- c) Schools?
- d) Parks or other recreational facilities?
- e) Maintenance of public facilities, including roads?
- f) Other governmental services?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X

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XII. Utilities and Service Systems. *Would the proposal result in need for new systems or supplies or substantial alterations to the following utilities:*

- a) Power or natural gas?
- b) Communication systems?
- c) Local or regional water treatment or distribution facilities?
- d) Sewer or septic tanks?
- e) Storm water drainage?
- f) Solid waste and disposal?
- g) Local or regional water supplies?

XIII. Aesthetics. *Would the proposal:*

- a) Affect a scenic vista or scenic highway?
- b) Have a demonstrable negative aesthetic effect?
- c) Create light or glare?

XIV. Recreation. *Would the proposal:*

- a) Increase the demand for neighborhood or regional parks or other recreational facilities?
- b) Affect existing recreational opportunities?

XV. Cultural Resources. *Would the proposal:*

- a) Disturb paleontological resources?
- b) Disturb archaeological resources?
- c) Affect historical resources?
- d) Have the potential to cause a physical change which would affect unique cultural values?
- e) Restrict existing religious or sacred uses within the potential impact area?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X
			X

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XVI. Mandatory Findings of Significance

- a) **Potential to degrade:** 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?
- b) **Short-term:** Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively, brief, definitive period of time. Long-term impacts will endure well into the future.)
- c) **Cumulative:** Does the project have impacts which 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.)
- d) **Substantial adverse:** Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
			X
			X
			X
			X

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Attachment "A"

COMMENTS TO ENVIRONMENTAL CHECKLIST

Project Name: Draft Rule 4550 (Conservation Management Practices)

E. ENVIRONMENTAL IMPACT CHECKLIST COMMENTS

I. Geologic Problems

The draft Rule contains options that may require some operations to alter their existing facilities to accommodate additional emission control techniques. There are no provisions in the draft Rule that would call for a significant disruption or over-covering of soil, changes in topography or surface relief features, the erosion of beach sand, or a change in existing siltation rates. Adoption of the draft Rule will not increase the exposure of people or property to geologic hazards.

II. Air Quality

The San Joaquin Valley Air Basin is classified as a severe ozone nonattainment area and a serious particulate matter 10 microns in size (PM10) nonattainment area for the health-based air quality standards established by the federal Clean Air Act. The San Joaquin Valley Unified Air Pollution Control District has requested that the US EPA downgrade the ozone classification to extreme nonattainment. The serious PM10 classification and the extreme ozone classification are the worst possible categories. It is expected that the use of fugitive dust emission control techniques, known as conservation management practices, will have positive effects on the air quality of the Valley.

Some of the CMPs will indirectly result in decreases in the use of diesel powered equipment and decreases in pesticide use due to improved operation efficiency. CMPs relying on larger equipment with higher horsepower engines may have a higher emission rate, but the emissions are more than offset because more work is accomplished in less hours of engine operation.

III. Water

The implementation of CMPs would not require a significant increase in water usage. Therefore, there is no expected adverse impact on existing water resources or the need to explore new water resources as a result of adopting the draft Rule in the San Joaquin Valley.

The incremental increased water use for dust control on unpaved roadways and unpaved traffic areas is considered negligible with respect to the overall water supply conditions for all uses. The potential cumulative contribution of water use for dust control is not expected to significantly affect water supplies or groundwater conditions in the project area as many agricultural operations already have implemented such practices.

IV. Biological Impacts

Adoption of the draft Rule is not expected to adversely affect existing plant or animal species or communities, unique or endangered plant or animal species, or agricultural crops. While agricultural practices are the target of the draft Rule, it is not expected that the implementation of these practices will have an adverse affect on individual crops or yields, as many of these practices are already in use or will result in a benefit to the integrity of the land. Further, improvements in air quality expected from the draft Rule are expected to provide health benefits to plant and animal species as well as the human residents in the District.

V. Noise

The implementation of CMPs is not expected to result in significant noise impacts. Existing practices in agricultural settings typically generate a certain amount of noise and any increase in noise associated with the installation of add-on control equipment is expected to be negligible. The implementation of several of the possible practices may change the time of day in which noise levels peak, yet this is not expected to result in significant noise impact because of the already existing agricultural setting.

VI. Land Use and Planning

The draft Rule has no characteristics that would directly change land use, zoning or land use plans or directly affect the land use classification, or location criteria of any public or private residential, commercial, industrial, or public land use facility. The present or planned land uses in the region will not be affected as a result of the draft Rule.

VII. Energy and Mineral Resources

The draft Rule would not affect the availability of any energy or mineral resource. There are no provisions in the draft Rule that would either conflict with adopted energy conservation plans or result in the use of non-renewable resources in a wasteful and inefficient manner nor result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State. There would also not be a substantial change in use of renewable or

non-renewable energy and mineral resources. Many of the proposed CMPs are expected to result in energy savings.

VIII. Hazards

It is anticipated that adoption of the draft Rule would not interfere with an emergency response plan or an emergency evacuation plan. There is no risk in creating any health hazard or potential health hazard. The draft Rule would not result in increased exposure of people to existing sources of potential health hazards.

Although there is no risk of accidental explosion, there is a possible risk in the accidental release of hazardous substances (including, but not limited to: oil, pesticides, or chemicals). However, the risk is no greater than with existing agricultural practices. Several CMPs will result in less chemical use. Accidental releases or spills should be minimized as applicators must comply with manufacturer specifications and must also comply with regional/state water quality control board requirements when using chemical stabilizers/suppressants. The draft Rule is intended to reduce fugitive particulate emissions that will benefit public health; there is no risk in creating any health hazard or potential health hazard.

All products used as chemical dust stabilizers/suppressants applied must meet the safety criteria of the Regional Water Quality Control Board to prevent contamination of water supplies. Petroleum based products used for this purpose cannot contain contaminants harmful to natural resources and people.

IX. Population and Housing

Adoption of the draft Rule would not result in the creation of any industry that would affect population growth, or directly or indirectly induce the construction of single- or multiple-family units. No population relocation or growth inducement is expected from the draft Rule implementation.

X. Transportation and Circulation

Adoption of the draft Rule will not result in increased vehicle trips or traffic congestion upon public paved roads, hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment) nor will the draft Rule conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks).

The draft Rule contains provisions that allow barriers to restrict access unto unpaved surfaces such as private unpaved roads and private unpaved vehicle/equipment storage/parking lots. However, the intent of this provision is to

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not intended to reduce emergency access or access to nearby uses. The draft Rule will not result in hazards or barriers for pedestrians or bicyclists.

XI. Public Services

Adoption of the draft Rule would not result in impacts to fire and police protection services. Existing schools and park or other recreational facilities would not be impacted by the adoption of the draft Rule.

XII. Utilities and Service Systems

Adoption of the draft Rule would not result in impacts to fire and police protection services.

XIII. Aesthetics

Adoption of the draft Rule is not expected to adversely affect or change land use in the District. The draft Rule will not require any changes in the physical environment that would obstruct any scenic vistas or views of interest to the public. The draft Rule would not create aesthetically offensive sites visible to the public. No significant adverse aesthetic or recreation impacts are expected from adoption of the draft Rule.

XIV. Recreation

No recreational facilities or resources in the District are expected to be adversely affected. These conclusions are based on the fact that any physical changes would occur at existing or new agricultural sites. No significant adverse aesthetic or recreation impacts are expected from adoption of the draft Rule.

XV. Cultural Resources

As previously noted, any effect from implementing the draft Rule will occur at existing or new agricultural areas. As a result, significant impacts to cultural resources are not expected because draft Rule 4550 will not require the destruction of existing buildings or sites with prehistoric, historic, archaeological, religious, or ethnic significance. Adoption of the draft Rule is therefore, not anticipated to result in any activities or promote any programs, which could have a significant adverse impact on cultural resources within the District.

XVI. Mandatory Findings of Significance

- a. The project does not 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

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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.

- b. The project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
- c. The project does not have impacts, which are individually limited, but cumulatively considerable.
- d. The project does not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.