

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

INITIAL STUDY/PROPOSED NEGATIVE DECLARATION

A. PROJECT BACKGROUND INFORMATION

1. Project Title:

Amendments to Regulation VIII (Fugitive PM10 Prohibitions). Regulation VIII consists of:

RULE 8011 (GENERAL REQUIREMENTS),
RULE 8021 (CONSTRUCTION, DEMOLITION, EXCAVATION, EXTRACTION, AND
OTHER EARTHMOVING ACTIVITIES)
RULE 8031 (BULK MATERIALS)
RULE 8041 (CARRYOUT AND TRACKOUT)
RULE 8051 (OPEN AREAS)
RULE 8061 (PAVED AND UNPAVED ROADS)
RULE 8071 (UNPAVED VEHICLE/EQUIPMENT TRAFFIC AREAS)
RULE 8081 (AGRICULTURAL SOURCES)

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:

Mr. Hector R. Guerra
Senior Air Quality Planner
(559) 230-5820

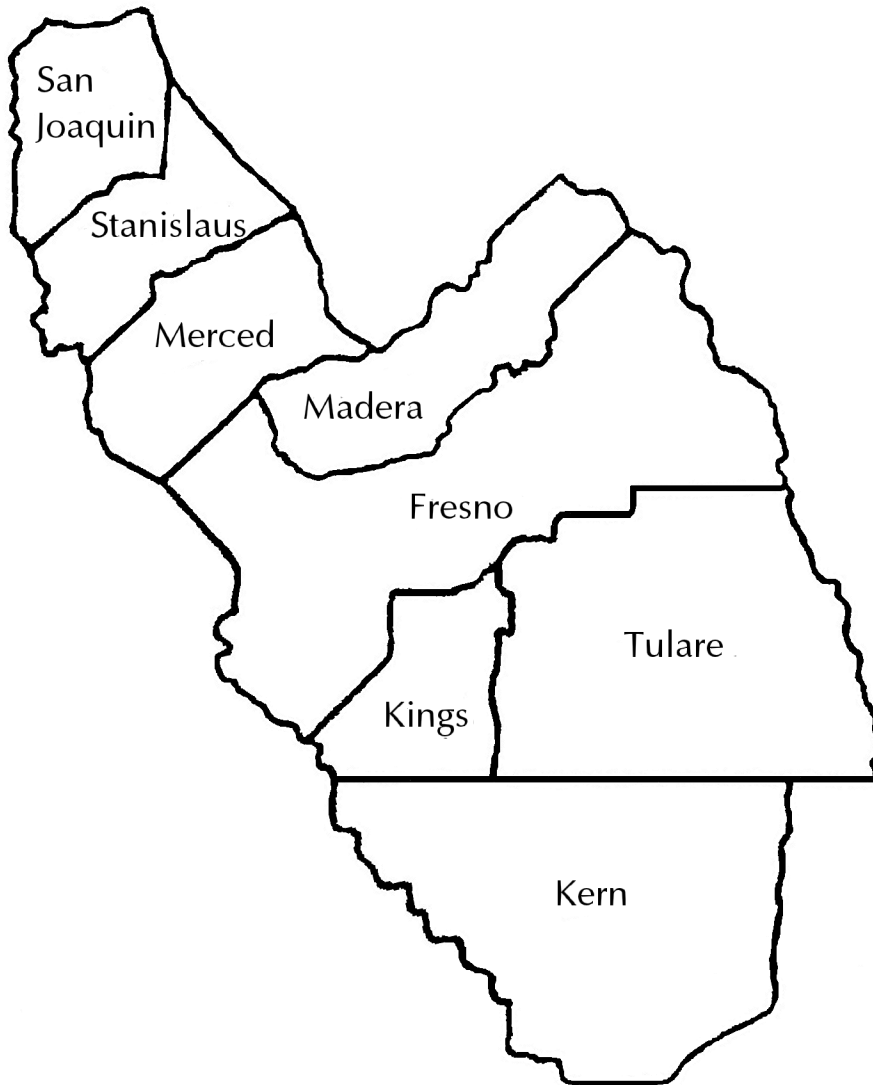
4. Project Location:

The *2003 PM10 Plan* applies to PM10 emission sources located within the boundaries of the San Joaquin Valley Air Basin (see Exhibit 1, Map of Basin Boundaries).

5. Project Sponsor's Name and Address:

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

Exhibit 1
San Joaquin Valley Air Basin Boundaries



6. Project Description

The San Joaquin Valley Air Basin (SJVAB) does not meet the federal health-based National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter of 10 microns or less (PM10). Specifically, the SJVAB is classified as a "serious" PM10 nonattainment area, the most severe PM10 classification. Section 189(b)(1)(B) of the 1990 Federal Clean Air Act Amendments (FCAA) requires the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) and other serious PM10 areas to implement Best Available Control Measures (BACM) to control fugitive PM10 emissions.

Regulation VIII applies only to fugitive dust sources; it does not apply to PM10 precursor sources or sources of smoke. Regulation VIII applies to primary PM10 sources that include construction, demolition, excavation, extraction, handling and storage of bulk materials, landfills, unpaved roads, and vehicle/equipment parking, shipping, receiving, transfer, and service areas. The proposed amendments to Regulation VIII are necessary to address the deficiencies identified by EPA, to upgrade existing RACM level rules to meet the more stringent BACM level required in serious PM10 nonattainment areas, and in order for EPA to fully approve Regulation VIII for inclusion into the SIP and stop the sanctions clocks.

In general, the proposed amendments to Regulation VIII would:

- Apply to Rules 8011, 8021, 8031, 8041, 8051, 8061, 8071, and 8081
- Become effective on October 1, 2004, 107 days following adoption by the Governing Board.
- Continue to specify a visible dust emission opacity standard of 20 percent and in some instances would also include standards for a stabilized surface. Source owner/operators would generally have the flexibility to prevent fugitive dust emissions with a variety of techniques as long as visible dust emissions (VDE) do not exceed the opacity threshold, and in some instances, compliance with stabilized surface standards is achieved.
- Amend thresholds for vehicle travel on unpaved roads/surfaces would be amended as specified in Rules 8061, 8071, and 8081.'
- Require preparation and submittal of a Dust Control Plan to the District for certain construction/earthmoving projects for all construction activities 10.0 or more acres for residential construction activities and 5.0 or more acres for non-residential construction activities in Rule 8021. The movement of a daily volume of 2,500 cubic yards or more of bulk material would remain as currently adopted. Also, at least one key individual representing the owner/operator of a construction site would be required to complete a Dust Control Training Class sponsored by the District.

- Retain adopted record keeping and test methods (for evaluating opacity and stabilized surfaces) provisions in order to verify compliance with the rule requirements.
- Modify or delete existing exemptions as appropriate.

As noted in the Final Draft Staff Report for Regulation VIII, District staff estimates that implementation of the proposed amendments to Regulation VIII would reduce cumulative emissions by approximately 18.8 tons per day for all categories of fugitive emissions.

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

No other agencies have discretionary authority over this project.

8. Project Compatibility with Existing Zones and Plans:

Not applicable to this project.

9. Name of Person Who Prepared Initial Study:

Hector R. Guerra
Senior Air Quality Planner

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 checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input checked="" 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 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: Hector R. Guerra
Title: Senior Air Quality Planner

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. AESTHETICS Would the proposal:				
a) Affect a scenic vista or scenic highway?				X
b) Have a demonstrable negative aesthetic effect?				X
c) Create light or glare?				X
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:				
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
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:				
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
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				X

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
IV. BIOLOGICAL RESOURCES Would the project:				
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, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
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
V. CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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
VI. GEOLOGY/SOILS Would the project:				
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
VII. HAZARDS & HAZARDOUS MATERIALS Would the project:				
a) Create a significant hazard to the public or				

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
the environment through the routine transport, use, or disposal of hazardous materials?				
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?				
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
VIII. HYDROLOGY/WATER QUALITY Would the project:				
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			X	

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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)?				
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
IX. LAND USE/PLANNING Would the project:				
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

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES Would the project:				
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
XI. NOISE Would the project result in:				
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
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
XII. POPULATION/HOUSING Would the project:				
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				X

housing elsewhere?	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES				
a) Would the project 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
a) Cumulatively exceed official regional or local population projections?				X
b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
c) Displace existing housing, especially affordable housing?				X
XIV. RECREATION				
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
XV. TRANSPORTATION/TRAFFIC Would the project:				
a) Cause an increase in traffic which is				
substantial in relation to the existing traffic load and capacity of the street system (i.e.,				X

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				
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
XVI. UTILITIES/SERVICE SYSTEMS Would the project:				
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				X

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
addition to the provider's existing commitments?				
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
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
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

E. ENVIRONMENTAL IMPACT CHECKLIST COMMENTS

The District conducts CEQA review on each rule during the rule development process at which time a better idea of the methods of compliance is known. The discussion of impacts provided below reflects the general level of knowledge now available.

I. Aesthetics

Regulation VIII is not expected to adversely affect or change land use in the District. The proposed rule amendments will not require any changes in the physical environment that would obstruct any scenic vistas or views of interest to the public. The proposed rule amendments would not create aesthetically offensive sites visible to the public. No significant adverse aesthetic or recreation impacts are expected from the proposed rule amendments. *[Sources: 1, 5]*

II. Agriculture Resources

Adoption of the amendments to Regulation VIII would not lead to the conversion of prime or unique farmland to non-agricultural use. The proposed rule amendments will not conflict with existing zoning for agricultural use, or Williamson Act contract. *[Sources: 1, 5]*

III. Air Quality

The San Joaquin Valley Air Basin is a nonattainment area for the state and federal ambient PM10 standards. Ambient air monitoring indicates that both the 24-hour and annual ambient PM10 air quality standards are exceeded throughout the District, albeit with varying frequency, duration, and concentrations. Upgrading Regulation VIII to BACM would allow the District to comply with Section 189(e) of the FCAA that requires an air district to implement "the most stringent control measures" (i.e., BACM level rules). When implemented, the 2004 amendments to Regulation VIII are estimated to reduce approximately 18.8 tons per day of fugitive particulate emissions.

The rule amendments are expected to result in an increase in water use to comply with the new requirements. The projected increase in water use will result in increased emissions from the use of water trucks and tractor powered water-spraying equipment. Based on the 2001 amendments to Regulation VIII, District staff estimated the emissions increase from this source based on the increased number of hours and miles to distribute water (137,853 hours or 275,706 miles). These numbers reflected the fact that the 2001 amendments would only result in an incremental increase in watering since most construction sites already water to comply with the current rule, and many farms water unpaved roads during high activity periods to avoid excessive dust on their crops. The proposed 2004 amendments would result in an incremental increase on the use of water by 50% or less since other control techniques are available to reduce fugitive dust emissions. Since the emissions expected are primarily from diesel

powered trucks and equipment, the primary pollutant of concern is oxides of nitrogen (NO_x). NO_x emissions are estimated to increase by approximately 2.5 tons/year as a result of implementing the 2004 amendments. Diesel engine ROG emissions are less than a tenth of NO_x emissions. The District's threshold of significant impact for ozone precursors is 10 tons/year; therefore, this impact is less than significant. [Sources: 1, 3, 4, 5.]

IV. Biological Resources

Regulation VIII is not expected to adversely affect existing plant or animal species or communities, unique or endangered plant or animal species, or agricultural crops. No additional significant adverse impacts to biological resources are expected to result from the proposed rule amendments because Regulation VIII is expected to affect existing sites and areas where biological resources are already disturbed. Further, improvements in air quality expected from proposed amendments to Regulation VIII are expected to provide health benefits to plant and animal species, as well as to humans in the District. [Sources: 1, 5]

V. Cultural Resources

As previously noted, any effects from implementing Regulation VIII would occur at existing sites and areas. As a result, significant impacts to cultural resources are not expected because Regulation VIII will not require the destruction of existing buildings or sites with prehistoric, historic, archaeological, religious, or ethnic significance. The proposed rule amendments are, 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. [Sources: 1, 5]

VI. Geology and Soils

There are no provisions in the proposed rule amendments that would call for the 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 amendments would not increase the exposure of people or property to geologic hazards, fault rupture, seismic ground shaking, seismic ground failure, seiche, tsunami or volcanic hazard. [Sources: 1, 2, 3, 4]

VII. Hazard & Hazardous Materials

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). 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 proposed rule amendments allow exemptions for responses to emergency situations;

therefore, the rule would not interfere with an emergency response plan or an emergency evacuation plan. The proposed rule amendments are intended to reduce fugitive particulate emissions that will benefit public health; there is no risk in creating any health hazard or potential health hazard. Mowing or cutting of weeds and dried vegetation related to fire prevention required by a Federal, State or local agency on a site less than one-half ($\frac{1}{2}$) acre are exempt from the proposed rule amendments. An exemption is provided for fire prevention activities when conducted for fire management purposes. Therefore, the rule would not result in increased exposure of people to existing sources of potential health hazards or increased fire hazard in areas with flammable brush, grass, or trees.

All chemical dust stabilizers/suppressants products applied to comply with the requirements of Regulation VIII must meet the safety criteria of the Regional Water Quality Control Board to prevent contamination of water supplies. Also, petroleum based products used for this purpose cannot contain contaminants harmful to natural resources and people. [Sources: 1, 4, 5,]

VIII. Hydrology/Water Quality

District staff in conjunction with Jones and Stokes Associates conducted an evaluation of the potential impacts that the 2001 amendments to Regulation VIII would have upon water supplies in the San Joaquin Valley as part of the CEQA process [Reference 5]. Based on information generated for the Regulation VIII socio-economic impact assessment and conservative assumptions on the amount of land to be treated and the volume of water required, the projected total annual water use for dust control would increase by about 500 acre-feet per year (af/yr) Valley-wide for the 2001 amendments. Implementation of the 2004 amendments to Regulation VIII are implemented, would, at most, increase to 250-500 acre feet per year based on a 50-100% increase of water usage. This assumption is also supported by Regulation VIII requirements that unpaved areas reaching higher usage thresholds are required to use other forms of dust control/suppressants such as chemical treatment, road oil, or paving of unpaved surfaces.

The water analysis for the 2001 amendments to Regulation VIII also examined potential cumulative impacts on water supplies. The incremental increased water use for dust control 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. [Sources: 1, 2, 3, 4, 5]

IX. Land Use/Planning

The proposed rule amendments would not 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.

There are no provisions in the proposed rule amendments that would affect land use plans, policies, or regulations. It is also expected that the proposed rule amendments will not affect infrastructure development or require changes to existing zone designations because the proposed rule amendments primarily regulate equipment at existing facilities. Land use and other planning considerations are determined by local governments and no land use or planning requirements would be altered by amending Regulation VIII. *[Sources: 1, 5]*

X. Mineral Resources

Adoption of the proposed rule amendments would not affect the availability of any mineral resource. There are no provisions in the rules that would either conflict with adopted energy conservation plans nor 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 resources. There may be very minor increases in the use of gasoline and diesel fuels for water and chemical application equipment and in petroleum used in manufacturing chemical suppressants, but these potential increases would be less than significant. *[Sources: 1, 5]*

XI. Noise

The change out from conventional rotary brush street sweepers to “PM10-efficient street sweepers” may result in increased noise impacts due to use of more powerful vacuuming devices. These sweepers are currently operating in urban areas of California and in other states and have met commonly adopted noise standards. Therefore, the increase in noise associated with the change out from conventional rotary brush street sweepers to PM10-efficient street sweepers is expected to be less than significant. *[Sources: 1, 4, 5]*

XII. Population/Housing

The proposed rule amendments upgrade existing fugitive dust control requirements to comply with federal Clean Air Act requirement. There are no provisions in the proposed rule amendments that would result in the creation of any industry that would effect 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 amended rules implementation. *[Sources: 1,5]*

XIII. Public Services

The proposed rule amendments 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 adopted Plan; however construction-related activities (i.e., excavating, leveling, trenching, etc.) for new schools and parks or, other recreational facilities, may be required to comply with fugitive dust prevention/clean-up requirements. [Sources: 1, 5]

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 agricultural, industrial or commercial sites and roads supporting these sites. No significant adverse aesthetic or recreation impacts are expected from the proposed rule amendments. [Sources: 1, 5]

XV. Transportation/Traffic

The proposed rule amendments would 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 would the rule conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks).

Regulation VIII contains provisions that allow barriers to restrict access unto unpaved surfaces such as unpaved roads and unpaved vehicle/equipment storage/parking lots thereby reducing the potential of dust emissions. However, the intent of this provision is to restrict unauthorized trespass and is not intended to reduce emergency access or access to nearby uses. The proposed rule amendments would not result in hazards or barriers for pedestrians or bicyclists. [Sources: 1, 5]

XVI. Utilities/Service Systems

Local power or natural gas that is converted to electrical power may be affected when used as energy sources to pump water that would be used as a dust suppressant. The estimated amount of water that may be used is provided in Item VIII (Hydrology/Water Quality). This increase in energy use is considered negligible since it would not result in the need for additional power plants or modifications to power distribution systems.

Storm water drainage ponding basins may be affected when removing soil (excavating/scraping) and transporting soil (potential carryout/trackout) outside of the basin. The transport of solid waste and disposal material would not be affected. However, construction or modification of landfills are subject to this regulation. It should be noted that there is an exemption for the spreading of landfill daily cover. As noted in Item VIII (Hydrology/Water Quality), local or regional water supplies may be affected due to increased watering to reduce fugitive particulate emissions; however, the use of water as a dust suppressant is not the exclusive option available.

There are no provisions in the proposed rule amendments that would affect existing communication systems, sewer or septic tanks, or regional water treatment or distribution facilities.

The proposed rule amendments would not result in any demand for new utilities or service systems, or result in any substantial demand on existing sources. See Item VIII (Hydrology/Water Quality) for a discussion of potential impacts on water and public water supplies. [Source: 5]

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 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.

F. SOURCES

1. San Joaquin Valley Unified Air Pollution Control District. *2003 PM10 Plan*, March 2003.
2. San Joaquin Valley Unified Air Pollution Control District. *1994 Serious Area PM10 Plan*. September 14, 1994.
3. San Joaquin Valley Unified Air Pollution Control District. Initial Study and Final Negative Declaration for *1994 Serious Area PM10 Plan*. Adopted September 14, 1994.
4. San Joaquin Valley Unified Air Pollution Control District. Rule 4641. Adopted April 11, 1991, Amended September 19, 1991, Amended December 17, 1992.
5. San Joaquin Valley Unified Air Pollution Control District. Initial Study and Final Negative Declaration for amendments to Regulation VIII. Adopted November 15, 2001.
6. San Joaquin Valley Unified Air Pollution Control District CEQA staff: Dave Mitchell, Supervising Air Quality Planner and Hector R. Guerra, Senior Air Quality Planner.

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