

## **APPENDIX A**

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### **Notice of Preparation/Initial Study**

**SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT**

**INITIAL STUDY/NOTICE OF PREPARATION**

**A. PROJECT BACKGROUND INFORMATION**

**1. Project Title:**

Extreme Ozone Attainment Demonstration Plan Environmental Impact Report

**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

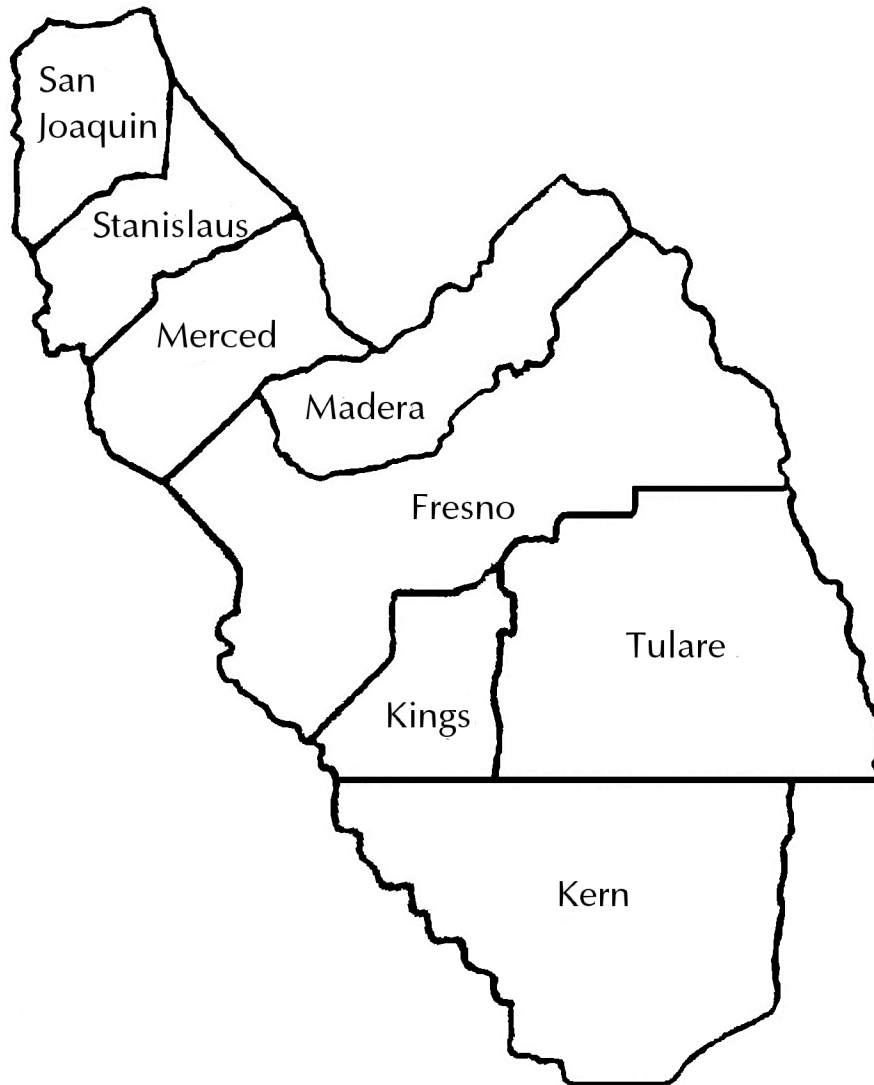
**4. Project Location:**

The Extreme Ozone Attainment Demonstration Plan applies to emission sources (primarily emission sources of volatile organic compounds and nitrogen oxides) located within the boundaries of the San Joaquin Valley Air Basin (see Figure 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

**Figure 1**  
**San Joaquin Valley Air Basin Boundaries**



## **6. Project Description:**

### **A. Introduction**

The San Joaquin Valley Air Basin (SJVAB or Basin) does not currently meet the federal primary (health-based) and secondary (welfare-based) one-hour national ambient air quality standards (NAAQS or standards) of 0.12 parts per million (ppm) by volume for ozone. At levels above the federal standards, ozone adversely affects public health, diminishes the production and quality of many agricultural crops, reduces visibility, degrades man-made materials, and damages native and ornamental vegetation.

The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or District) has been implementing emissions control measures to reduce one-hour ozone levels, and some demonstrable progress has been made over the past fifteen years. However, considerable additional emission reductions are needed to bring the SJVAB into attainment with the federal one-hour ozone standards. Because the District generally has authority over only a portion of the variety of air pollution sources in the SJVAB, it does not have the authority to effect all of the emissions controls needed to bring the SJVAB into attainment. Additional emission reductions to be implemented by the California Air Resources Board (CARB) and the U.S. Environmental Protection Agency (U.S. EPA) are needed to achieve attainment. As an extreme nonattainment area, the SJVAB must attain the standard by November 15, 2010.<sup>1</sup>

This District has prepared the Extreme Ozone Attainment Demonstration Plan to fulfill the requirements of the Federal Clean Air Act for extreme nonattainment areas for the federal one-hour ozone standard. As such, it describes the factors contributing to the SJVAB's persistent ozone air quality problem, quantifies air pollutant emissions that cause ozone to form in the SJVAB, identifies control measures (past, present and future) needed to reduce these emissions, and projects future air quality based on implementation of these controls. In addition, the Plan fulfills state requirements for the California Clean Air Act Plan Triennial Progress Report, and fulfills federal requirements for demonstrating rate of progress in meeting emissions reductions targets.

Passage of the 1990 Federal Clean Air Act Amendments classified the SJVAB as a serious nonattainment area for the federal one-hour ozone standard. This classification required attainment of the federal one-hour ozone standard by November 15, 1999. The SJVAB failed to attain the standard by this date.

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<sup>1</sup> On April 30, 2004, the U.S. EPA issued a final rule revoking the federal one-hour ozone standard, effective June 15, 2005 (69 FR 23858). Effective June 15, 2005 the SJVAB would no longer be nonattainment for the federal one-hour standard and the November 15, 2010 date for attainment would be eliminated. Focus would then shift to the attainment of the federal 8-hour ozone standard.

In the November 2001 *Federal Register* notice, U.S. EPA issued a final rule finding that the SJVAB failed to attain the federal one-hour ozone standard by the date specified in the Clean Air Act for serious areas. By appointment of law, the SJVAB was therefore classified as severe nonattainment (official December 10, 2001). The U.S. EPA also identified severe area requirements to be met by May 31, 2002; these requirements include: (1) A 25 tons per year (tpy) major stationary source threshold; (2) additional reasonably available control technology (RACT) rules for sources subject to the new lower major source applicability cutoff; (3) an NSR rule requiring offsets of at least 1.3 to 1; (4) a rate of progress in creditable emission reductions of ozone precursors of at least three percent per year from 2000 to the attainment year; (5) a fee requirement for major sources should the area fail to attain by 2005; and (6) a demonstration of attainment as expeditiously as practicable but no later than November 15, 2005. The U.S. EPA also directed the District to implement six specific control measures by November 15, 2002.

On June 18, 2002 and August 6, 2002 California submitted State Implementation Plan (SIP) revisions to U.S. EPA that address several of the severe area requirements. On September 6, 2002 California submitted to U.S. EPA the District's commitments to adopt new and revised emission control measures (67 *FR* 61784). A demonstration of attainment by 2005 was not included in these submittals.

On October 2, 2002, U.S. EPA published a *Federal Register* notice (67 *FR* 61784) issuing a Finding of Failure to Submit State Implementation Plan Revisions for Ozone (one-hour standard); this finding [which has an effective date of September 18, 2002] triggered an 18-month clock for imposing emissions offset sanctions, a 24-month clock for imposing highway funding sanctions, and a 24-month clock for preparing a Federal Implementation Plan (FIP). Stopping the clocks requires submittal of the necessary revisions by the dates specified; these revisions include (1) a demonstration of attainment of the one-hour ozone standard by no later than November 15, 2005 [an ozone attainment demonstration plan (OADP)]; (2) a demonstration of creditable emission reductions of ozone precursors at a rate of at least three percent per year until November 2005; (3) a rule addressing RACT for lime kilns; (4) an inventory; and (5) contingency measures. The attainment date, the sanctions, the FIP and their associated dates reflect a "severe" nonattainment status.

On April 10, 2003, California submitted to the U.S. EPA the District's *Amended 2002/2005 Rate of Progress (ROP) Plan for San Joaquin Valley Ozone*, which provides all of the severe area SIP revisions required by the U.S. EPA in the October 2002 *Federal Register* notice, except for the OADP (Item 1 in the previous paragraph). On September 4, 2003, the U.S. EPA found the *Amended ROP Plan* to be complete, and is under review at the U.S. EPA as of June 2004.

The District and CARB have acknowledged that emission reductions stemming from state and federal controls (which are outside of the District's authority to implement) are needed to demonstrate attainment of the one-hour ozone standards in the SJVAB, and that these controls would not go into effect until after 2005. These measures were originally designed to assist the South Coast Air Basin in attaining the standard by 2010. Consequently, preparation of a plan based on emission reductions implemented prior to 2005 would not demonstrate attainment of the one-hour ozone standards by November 15, 2005. The District needed a mechanism to allow time for state and federal measures to come into effect in order to attain the standard. Since the District could not accelerate implementation of state and federal measures, other options were explored. Section 181(b)(3) of the Federal Clean Air Act allows states to request the U.S. EPA to reclassify an area to a higher classification. Higher classes reflect a more substantial nonattainment problem that in turn requires more time to solve. The District's only option for pursuing a higher classification, with a later attainment date, was to request classification as extreme nonattainment<sup>2</sup>. Consequently, on December 18, 2003, the District's Governing Board voted unanimously to request the U.S. EPA through CARB to classify the SJVAB as extreme nonattainment.

This classification changes the attainment date to November 15, 2010, thereby providing time for critical state and federal emissions controls to come into effect in the post-2005 time frame. CARB forwarded this request to the U.S. EPA on January 9, 2004. On February 23, 2004 the U.S. EPA proposed approval of the request (69 FR 8126) and on April 18, 2004, the U.S. EPA signed the final rule approving the request. The classification as extreme nonattainment became final on May 17, 2004 (69 FR 20550). This Extreme Ozone Attainment Demonstration Plan is based on designation of the SJVAB as extreme nonattainment; as such the SJVAB has an attainment date of November 15, 2010.

## **B. Project Description**

As an extreme nonattainment area, the District is required by federal and California laws to include certain provisions in the attainment plan. Specifically, the Federal Clean Air Act (CAA) requires that this plan must:

- “provide for the implementation of all reasonably available control measures as expeditiously as practicable”, (Section 172(c)(1))
- make “reasonable further progress.” (Section 172(c)(2)) and

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<sup>2</sup> In 2001, The District requested the U.S. EPA to designate the SJVAB as “Severe-17”, which would have extended the attainment date to November 15, 2007. The U.S. EPA was unable to approve this request because they determined that the “Severe-17” category can be assigned based only on design value, and the SJVAB's one-hour design value at the time of the request was not high enough for classification as “Severe-17.”

- include “enforceable emission limitations, and such other control measures, means or techniques...” which are needed and appropriate to demonstrate compliance with the federal standards (Section 172(c)(6)).

The California Clean Air Act, as codified in the California Health and Safety Code (H&SC), also requires the plan to:

- include provisions for the use of best available retrofit control technology (BARCT) for existing permitted sources. (H&SC Section 40919(a)(3)) and
- include “any other feasible control measures.” (H&SC Section 40920.5(c))

To satisfy these CAA and H&SC requirements, the Plan includes Control Measures for stationary sources subject to District regulations, and the associated rule development schedule. It also summarizes mobile source and other controls under the purview of the California Air Resources Board, and the transportation control measure commitments made by the Valley Regional Transportation Planning Agencies (RTPA).

### **C. Rule Development Schedule**

As a result of the previously *Amended 2003 and 2005 Ozone Rate of Progress Plan* (Ozone ROP) and the *2003 PM10 Plan* (PM10 Plan), the District is committed to develop a number of control measures in the form of new or amended rules. The control measures in the Ozone ROP were designed to reduce emissions of ozone precursors: oxides of nitrogen (NOx) and volatile organic compounds (VOC). During the winter months, these pollutants are also sources of secondary PM10, so the PM10 Plan includes control measures for NOx and VOC.

The rule development schedules shown in Tables 1 and 2 include commitments from those plans for NOx and VOC reductions. The basis for those controls measures are federal, state and local requirements or other considerations. These measures do not include commitments in the PM10 Plan which would not impact ozone formation.

### **D. District Control Measures**

Section 172 of the Federal Clean Air Act requires non-attainment plans to: “provide for the implementation of all reasonably available control measures as expeditiously as practical (including such reductions in emissions from existing sources in the area as may be obtained through the adoption, at a minimum, of reasonably available control technology) and shall provide for attainment of the national primary ambient air quality standards.”

To determine what stationary source control measures might be feasible for adoption in the SJVAB, the District considered CARB's *Identification of Performance Standards for Stationary Sources* (as updated May 16, 2002); control measures committed to or successfully implemented in other regions [including the South Coast Air Quality Management District, the Bay Area Air Quality Management District, and the Houston-Galveston (Texas) Area]; and control measures suggested by staff and members of the public at workshops held during the control measure development process. Some of those control measures were eliminated from the Ozone ROP and PM10 Plan commitments, however, because:

- the District had already adopted rules as effective as those described,
- similar rules are currently being developed, or
- there are few or no sources, in the categories, located in the Valley.

The District evaluated the remaining control measures, using baseline inventories, known control technology, potential emission reductions, cost effectiveness, and the feasibility of implementation by 2008. Based upon this evaluation, the District placed measures into the Control Measure schedule. During 2004 through 2008, the District's rule development schedule will encompass rules as shown in Tables 1 and 2. The schedule includes both new rules and amendments to existing rules that are necessary to satisfy applicable requirements including RACT, BARCT, and reasonable further progress toward attaining the one-hour ozone standard.

The control measures indicated are those that the District commits to either developing as rules, or evaluating for possible rule development. Projects may be added or removed based on information received during the development of the Plan; detailed examination of the emission inventories and feasible control measures; or future local, state and federal requirements. To prevent conflicts between attainment plans and plan updates, any changes to the control measure schedule, which are approved in subsequently adopted plans or updates, are considered to also apply to this Plan, without the need to modify the tables shown.

## **E. Control Measures Schedule**

Table 1 summarizes ozone precursor control measures grouped according to their proposed rule development schedule. In order to demonstrate compliance with the 2010 federal ozone standard, the District must have three years of "clean" air quality data. Therefore, control measures must be adopted as rules and implemented by operators by Spring 2008, in order for the measures to



generate air quality benefits that satisfy the ozone attainment deadline. The control measures were scheduled based on a number of factors including the size of the existing emission inventory; the feasibility of control measures for the class and category of source; projected emission reductions which might result; similar controls already required or proposed by other districts; and possible implementation schedules.

Some control measures were considered which would require additional refinement of the emissions inventory and/or further research into feasible emission controls. These measures have been placed in Table 2 for further study.

Table 1 contains control measures for the rule projects currently scheduled to be developed in 2004 through 2007, as well as their projected adoption dates, emissions inventories for 2008 and 2010, and estimated reductions. These are measures for which the District has an adequate emissions inventory and/or for which reasonable control measures have been established by the District or other agency. The District has already begun rule development on many of the rules which are listed for 2004 and 2005 adoption.

Table 2 indicates the Further Study categories which the District will investigate for potential emission reductions. Assuming controls are feasible and emission reductions are significant, rule development activity for these categories would most likely not occur until 2006 or later. These projects would address categories for which adequate emission inventories are not currently available or for which emission control strategies must be further researched and developed.

The further study measures in Table 2 are not District commitments for specific emission reductions or for future rulemaking. They will be further evaluated for possible emission reduction opportunities. Staff have already begun emission inventory improvement and research on potential control measures on several of these measures. Some of these categories are believed to have small baseline emission inventories that would be the least effective in generating significant emission reductions. Other control measures may be proposed based on technology-forcing standards proposed by other districts and for which a particular emission standard has not been demonstrated or is not commonly available. Each of the measures in Table 2 will be further evaluated and may be either placed in the rule development schedule or ruled out as potential control measures. The rules will be subject to further CEQA review when they are promulgated.

**TABLE 1  
 CONTROL MEASURE SCHEDULE (2004 - 2007)**

Control Measure	Rule Number	Description	Adopt or Amend Rule	POLLUTANT	2008 Baseline (tpd)	2008 Reductions (tpd)	2010 Baseline (tpd)	2010 Reductions (tpd)
A	4409 New	Oil and Gas Fugitives	3Q - 2004	VOC	10.4	4.7	10.2	4.7
B	4455 New	Refinery & Chemical Fugitives	3Q -2004	VOC	0.5	0.2	0.5	0.2
C	9310 New	Fleet Rule - School Buses	4Q -2004	NOx	2.5	0.1	2.6	0.3
D	9510 New 3180 New	Indirect Source Mitigation (See Note 1)	4Q - 2004	NOx	N/A	4.1	N/A	4.1
E	4307 New	Small Boilers, Process Heaters, Steam Generators, 2.0 - 5.0 MMBtu/hr (See Note 2)	4Q - 2004	NOx	8.8	1.0	9.0	1.0
F	4694 New	Wineries - Fermentation	4Q - 2004	VOC	2.1	0.7	2.1	0.7
G	4352	Solid-Fuel Boilers, Steam Generators, and Process Heaters	4Q - 2004	NOx	3.8	<0.05*	4.4	<0.05*
H	4702	Stationary IC Engines	2Q - 2005	NOx	21.0	8.4	20.1	8.0
I	4309 New	Commercial Dryers (See Note 3)	2Q - 2005	NOx	8.8	1.0	9.0	1.0
J	4565 New	Composting/Biosolids Operations (See Note 3)	2Q - 2005	VOC	0.7	--	0.7	0.1
K	4602	Automotive Coating	3Q - 2005	VOC	1.6	0.1	1.6	0.1
L	4570	Concentrated Animal Feeding Operations	1Q - 2006	VOC	93.0	9.3	91.5	22.9
M	4662 4663 4602 4603 4604 4605 4606 4607 4653 4684	Organic Solvent Degreasing Organic Solvent Cleaning Motor Vehicle and Mobile Equipment Coating Surface Coating of Metal Parts and Products Can and Coil Coating Operations Aerospace Assemblies and Component Coating Wood Products Coating Graphic Arts Adhesives Polyester Resin Operations	2Q - 2006	VOC	4.9	1.0	5.1	1.3

**Table 1 (continued)**  
**Control Measure Schedule (2004 - 2007)**

Control Measure	Rule Number	Description	Adopt or Amend Rule	Pollutant	2008 Baseline (tpd)	2008 Reductions (tpd)	2010 Baseline (tpd)	2010 Reductions (tpd)
N	4308 New	Water Heaters, 0.075 - 2.0 MMBtu/hr (See Note 3)	3Q - 2006	NOx	41.1	0.4	41.8	0.6
O	4401	Steam-Enhanced Oil Well Vents	3Q - 2006	VOC	13.2	0.7	12.8	1.4
P	4651	Soil Decontamination (See Note 3)	4Q - 2006	VOC	<0.05	--	<0.05	<0.05*
Q	4103	Open Burning	1Q - 2007	NOx VOC	2.9 7.4	0.3 0.7	2.8 7.4	2.1 5.6
R	4682	Polymeric Foam Manufacturing	2Q - 2007	VOC	0.3	---	0.3	0.1
S	4703	Stationary Gas Turbines (< 10 MW, distributed generation) (See Note 2)	2Q - 2007	NOx	2.5	---	2.5	0.6
T	4621, 4624	Gasoline Storage & Transfer	3Q - 2007	VOC	3.3	---	3.4	0.9
U	4621	Aviation Fuel Transfer, Phase I (See Note 3)	3Q - 2007	VOC	0.2	--	0.2	<0.05*

Note 1: CCOS data is not available. Emissions and reductions based on reductions generated by funding projects with Indirect Source Mitigation fees.

Note 2: CCOS data is not available. Emissions and reductions based on preliminary draft staff report.

Note 3: CCOS data is not available. Emissions and reductions based on contracted emissions inventory report.

Note 4: CCOS data is not available. Emissions and reductions based on CARB emissions inventory.

\* Rules with an average daily emissions of less than 0.05 tons/day may be included to satisfy federal and state requirements for RACT, BACT or all feasible controls. Please see the control measure details for additional information.

**TABLE 2**

**POTENTIAL CONTROL MEASURES REQUIRING FURTHER STUDY**

<b>Further Study</b>	<b>Rule Number(s)</b>	<b>Description</b>	<b>Pollutant</b>
A	2280	Portable Equipment - NOx	NOx
B	New	Asphalt Plant Dryers/Heaters	NOx, VOC
C	4402, 4625	Sumps, Pits, and Wastewater Processing Equipment	VOC
D	4902	Fugitive Emissions - Heavy Oil Stream	VOC
E	4653	Adhesives	VOC
F	4607	Graphic Arts	VOC
G	4641	Cutback Asphalt Application	VOC
H	4607	Restaurants, Under-fired Charbroilers	VOC
I	New	Residential Water Heaters	NOx, VOC
J	New	Furnaces	NOx
K	New	Brandy Production	VOC

**F. Future Study Measures**

The California Clean Air Act requires districts to develop ambient air quality standard attainment plans that consider “the full spectrum of emission sources and focus particular attention on reducing emissions from transportation and area-wide emission sources.” (Health and Safety Code, Section 40910). In particular, districts responsible for air basins designated as having “serious,” “severe,” or “extreme” air pollution, “shall, to the extent necessary to meet the requirements of the plan,...” include in their attainment plans “[m]easures to achieve the use of a significant number of low-emission motor vehicles by operators of motor vehicle fleets.” [Health and Safety Code section 40919(a)(4)]. Although CARB is responsible for setting vehicle emission standards, districts such as SJVUAPCD have the authority to ensure that those standards are met.

Several mobile source rules have been adopted or are being developed by CARB. These rules address emissions from refuse haulers, urban transit vehicles, and heavy duty vehicle; vehicle idling limits; diesel fuel sulfur limits; toxic emissions from transportation refrigeration units; and other similar measures. The District is not currently planning to pursue any enhanced requirements to the mobile source rules which CARB has adopted or is developing.

There are a number of possible non-traditional mobile source emission control measures. The District will investigate the feasibility of additional programs which reduce emissions from mobile sources. These measures would address avenues commonly outside District jurisdiction by teaming with other regulatory agencies that can implement potentially significant mobile source reduction programs. Several special programs have been suggested which could generate mobile source emission reductions. These programs can include the following:

- The District could obtain additional funding for special patrols along State Route 99 for increased enforcement of the truck speed limit by the California Highway Patrol. Emissions from heavy-duty vehicles increases with higher operating speeds so reductions of NO<sub>x</sub>, VOC, and diesel PM may be possible with stricter enforcement of the existing transport speed limits.
- The District could encourage increased use of the CARB Heavy-Duty Vehicle Inspections program for conducting roadside testing of heavy-duty vehicles along State Route 99 and Interstate 5. The inspections including anti-smoke inspection, RPM recording, snap-acceleration test, and visual inspection to identify gross-polluters.
- Re-designation of State Route 99 between Manteca and Wheeler Ridge as a “no through-truck route” and designating Interstate 5 as the sole truck route for through Valley truck traffic would mitigate the impact of the trucks on the most densely populated portion of the Valley, reducing traffic congestion, decreasing travel time and reducing the associated emissions.
- Gross Emitters, both passenger and heavy-duty vehicles, can produce ten times the emissions of newer vehicles. By offering incentives for the repair or replacement of designated gross polluters, the District could encourage the vehicle owners to either make needed repairs or to completely remove their dirty vehicles from the road.
- It is possible to reduce heavy-duty engine idling emissions at truck stops with alternative power systems, such as auxiliary power units, thermal storage systems, and truck stop electrification to supply power for cab and on-board appliance functions, as necessary.

## **G. District Incentive Programs**

The District has operated various incentive programs since 1992. The programs have expanded in funding and increased in sophistication over the years. Funding is provided through use of a combination of state, local, and federal funds including CARB’s Moyer Program funds, state transportation funds, state peaker power plant offset funds, District Department of Motor Vehicles Surcharge Fees (DMV Fees), and federal Congestion Mitigation and Air Quality (CMAQ) program funds. Of these funds,

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only DMV fees are under the full direct control of the District. Therefore, although the District will seek funding for cost-effective programs from all potential sources, emission reductions claimed for this plan are based on funding already committed. The District is currently operating the following programs aimed at reducing ozone precursor emissions:

- the Heavy-Duty Engine Incentive Program (Heavy-Duty Program) which includes replacement/retrofit of heavy duty engines for on-/off road heavy duty vehicles and agricultural internal combustion engines used to power irrigation pumps; and
- the Electric Lawnmower Incentives Program.

Future additional incentive programs under consideration include Light and Medium Duty Vehicle Incentive Program, Alternative Fuels Mechanic Training, Bicycle Infrastructure and Electronic Mobility (i.e., utilization of communications technologies).

#### **H. LOCAL AGENCY REASONABLY AVAILABLE CONTROL MEASURES (RACM)**

The San Joaquin Valley is a single air quality nonattainment area containing eight Metropolitan Planning Organizations (MPOs), which are also regional transportation planning agencies (RTPAs) within the Valley. The Valley is home to many diverse communities containing predominantly rural as well as predominantly urban areas peopled by individuals from many different parts of the world. This overview describes the process led by the Valley RTPAs to identify and implement potentially reasonably available control measures (RACM) affecting local transportation activity.

Each RTPA member jurisdiction has determined which measures are technologically and economically feasible for implementation by that entity. Formal resolutions have been adopted by the appropriate governing body to commit to implement control measures. If a jurisdiction decided that a measure was not feasible for implementation, the jurisdiction documented the "reasoned justification" for non-implementation, as required by the U.S. EPA for the RACM process. This justification is based on technological or economic infeasibility.

The resolutions adopted by the respective entities to commit to implement local government control measures are included in the corresponding Regional Transportation Planning Agency Commitments for Implementation document. The document is available for public review at the central SJVUAPCD office located in Fresno.

Collectively, a broad range of commitments to implement control measures were adopted by the local governments. These extensive commitments demonstrate the level of effort that is being made to improve air quality. It is important to note that specific emissions reduction credits have not been included in the Extreme Area Ozone Attainment Demonstration Plan. However, in many cases these commitments would

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produce emission reductions above and beyond what has been quantified in the Extreme Area Ozone Attainment Demonstration Plan. These adopted control measures represent additional efforts by the local jurisdictions to reduce emissions and improve air quality.

## **I. State and Federal Control Measures**

Motor vehicles and equipment under State and federal jurisdiction, while responsible for about 55 percent of ozone-forming gases in the Valley in 2004, are also contributing the majority of the emission reductions needed for attainment. Adopted State and federal regulations for cleaner engines and fuels are reducing Valley emissions of ozone precursors – volatile organic compounds (VOC) and oxides of nitrogen (NOx) -- by over 225 tons per day (tpd), or over 35 percent, between 2000 and 2010.

To provide additional emission reductions needed in California's ozone nonattainment areas, CARB, in October 2003, adopted a Statewide Strategy that includes new statewide measures for California's mobile source, motor vehicle fuels, and consumer products programs. CARB's adopted control measures are available at <http://www.arb.ca.gov/planning/sip/stfed03/stfed03.htm> and include detailed descriptions of each of the measures. These measures would reduce emissions of VOC, NOx, and particulate matter statewide. When adopting the Statewide Strategy, the Board directed CARB staff to quantify the emission reduction benefits from these measures and to include these measures, as appropriate, and their associated emission reductions in upcoming SIPs for California's ozone nonattainment areas.

The Statewide Strategy includes defined measures that CARB staff will develop plus the Bureau of Automotive Repair's planned improvements to the Smog Check program. The CARB measures cover on-road vehicles, off-road equipment, fuels and refueling, and consumer products. Lower emission standards for new engines and consumer products are complemented by measures to clean up the existing fleet of mobile sources. Other measures would reduce gasoline vapor emissions from storage tanks, service stations, and fuel tanker trucks. Tighter limits on fuel properties would also be set. CARB will identify control measures and associated emissions reduction for implementation in the SJVAB. The Extreme Ozone Attainment Demonstration Plan will describe and list the state measures and associated emissions reductions.

## **J. Alternatives**

The Draft EIR will discuss and compare alternatives to the proposed project as required by CEQA Guidelines §15126.6. Alternatives must include realistic measures for attaining the basic objectives of the proposed project and provide a means for evaluating the comparative merits of each alternative. In addition, the range of alternatives must be sufficient to permit a reasoned choice and it need not include every conceivable project alternative. The key issue is whether the selection and discussion of alternatives fosters informed decision making and public participation. A

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CEQA document need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.

Alternatives will be developed based in part on the major components of the proposed plan. The rationale for selecting alternatives rests on CEQA's requirement to present "realistic" alternatives; that is, alternatives that can actually be implemented. CEQA also requires an evaluation of a "No Project Alternative." Written suggestions on potential project alternatives received during the comment period for the Initial Study will be considered when preparing the Draft EIR.

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

The Plan must be submitted to and approved by CARB and U.S. EPA.

**8. Project Compatibility with Existing Zones and Plans:**

Control measures in the Plan apply primarily to stationary sources of emissions in the SJVUACPD in order to reduce emissions and comply with federal and state air quality standards. Zoning varies throughout the Basin, although most stationary sources are anticipated to be within industrial and commercial zoning and land use areas. This project is compatible with the Amended 2002 and 2005 Rate of Progress Plan for San Joaquin Valley Ozone and the 2003 PM10 Plan.

**9. Name of Person Who Prepared Initial Study:**

Debbie Bright Stevens  
Environmental Audit, Inc.  
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(714) 632-8521



**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 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 checked="" 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 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.

**I. AESTHETICS** Would the proposal:

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

**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?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 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?

**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?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

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
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)?	√			
d) Expose sensitive receptors to substantial pollutant concentrations?	√			
e) Create objectionable odors affecting a substantial number of people?			√	
<b>IV. BIOLOGICAL RESOURCES</b> 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?			√	
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?			√	
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?				√
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?				√
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				√
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?				√
<b>V. CULTURAL RESOURCES</b> 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?				√
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				√
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				√
d) Disturb any human remains, including those interred outside of formal cemeteries?				√
<b>VI. GEOLOGY/SOILS</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.			√	
ii) Strong seismic ground shaking?			√	
iii) Seismic-related ground failure, including liquefaction?			√	
iv) Landslides?			√	
b) Result in substantial soil erosion or the loss of topsoil?			√	
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?			√	
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?			√	
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?			√	

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
<b>VII. HAZARDS &amp; HAZARDOUS MATERIALS</b>				
Would the project:				
a) Create a significant hazard to the public or 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?			√	
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?			√	
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?			√	
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?				√
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				√
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?				√
<b>VIII. HYDROLOGY/WATER QUALITY</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?			√	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater			√	

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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)?				
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?			√	
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?			√	
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?			√	
f) Otherwise substantially degrade water quality?			√	
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?				√
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				√
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?				√
<b>IX. LAND USE/PLANNING</b> Would the project:				
a) Physically divide an established community?				√
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?			√	

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				√
<b>X. MINERAL RESOURCES</b> 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?				√
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?				√
<b>XI. NOISE</b> 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?			√	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			√	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			√	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			√	
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?			√	
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?			√	
<b>XII. POPULATION/HOUSING</b> 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)?				√
b) Displace substantial numbers of existing housing, necessitating the construction of				√

	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
replacement housing elsewhere?				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				√
<b>XIII. PUBLIC SERVICES</b>				
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:				
Fire protection?			√	
Police protection?			√	
Schools?			√	
Parks?			√	
Other public facilities?			√	
b) Cumulatively exceed official regional or local population projections?			√	
c) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				√
d) Displace existing housing, especially affordable housing?				√
<b>XIV. RECREATION</b>				
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?				√
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?				√
<b>XV. TRANSPORTATION/TRAFFIC</b> 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., result in a substantial increase in either the number of vehicle trips, the volume to			√	



	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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?			√	
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?			√	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				√
e) Result in inadequate emergency access?				√
f) Result in inadequate parking capacity?			√	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			√	
<b>XVI. UTILITIES/SERVICE SYSTEMS</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	√			
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?	√			
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?			√	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		√		
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?	√			

	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?	√			
g) Comply with federal, state, and local statutes and regulations related to solid waste?			√	
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
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?			√	
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)?	√			
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	√			

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**E. ENVIRONMENTAL IMPACT CHECKLIST COMMENTS**

**I. AESTHETICS**

I. a) & b): The proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to adversely affect scenic vistas in the District; damage scenic resources, including but not limited to trees, rock outcroppings, or historic buildings within a scenic highway; or substantially degrade the visual character of a site or its surroundings. The reason for this conclusion is that control measures typically affect industrial, institutional, or commercial facilities located in appropriately zoned areas that are not usually associated with scenic resources. Further, modifications typically occur inside the buildings at the affected facilities, or because of the nature of the business (e.g., commercial or industrial) can easily blend with the facilities with little or no noticeable effect on adjacent areas. The Extreme Ozone Attainment Demonstration Plan may have a beneficial effect on scenic resources by improving visibility as well as improving air quality.

I. c): The proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to create additional demand for new lighting or exposed combustion that could create glare and affect day or nighttime views in any areas. As noted above, facilities affected by the control measures typically make modifications in the interior of an affected facility so any new light sources would typically be inside a building or not noticeable because of the presence of existing light sources. Further, affected commercial or industrial facilities would be located in appropriately zoned areas that are not usually located next to residential areas, so new light sources, if any, would not be noticeable to residents.

Based upon the above considerations, significant adverse aesthetics impacts are not anticipated to occur and will not be further analyzed in the Draft EIR.

**II. AGRICULTURE RESOURCES**

II. a) - c): The Extreme Ozone Attainment Demonstration Plan control measures typically affect existing commercial or industrial facilities or affect mobile sources, so they are not anticipated to generate any new construction of buildings or other structures that would require conversion of farmland to non-agricultural use or conflict with zoning for agricultural uses or a Williamson Act contract.

The Extreme Ozone Attainment Demonstration Plan includes Control Measure Q – Open Burning which would phase out open burning between 2005 and 2010, pursuant to Health and Safety Code §41855.5(a). Additional language was included in the Health and Safety Code that require the District to develop a rule to regulate limited open burning for disposal of diseased crops and weed control. Therefore, the control measures would still allow for limited open burning of diseased crops and weed control, minimizing the potential impacts to the agricultural industry.

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Control Measure J – Concentrated Animal Feeding Operations would control emissions from animal farming operations. It is anticipated that this rule would control fugitive emissions from feedlots and associated supporting operations such as waste treatment lagoons. Other control measures that would control emissions from engines or gasoline storage and dispensing facilities could also impact agricultural operations, requiring additional control equipment, new equipment, or revised operations. These control measures may change certain operating conditions at these facilities but would not require the closure of these facilities, thus impacting or eliminating agricultural resources.

There are no provisions in the proposed Extreme Ozone Attainment Demonstration Plan that would affect or conflict with existing land use plans, policies, or regulations or require conversion of farmland to non-agricultural uses. Land use, including agriculture-related uses, and other planning considerations are determined by local governments and no land use or planning requirements would be altered by the proposed project. The Extreme Ozone Attainment Demonstration Plan control measures, including control measures related to mobile sources, would have no direct or indirect effects on agricultural resources.

Based upon the above considerations, significant adverse impacts to agricultural resources are not anticipated and will not be further analyzed in the Draft EIR.

### **III. AIR QUALITY**

III. a): The purpose of the Extreme Ozone Attainment Demonstration Plan is to move the San Joaquin Valley Air Basin toward attainment of the federal and state ambient air quality standards for ozone through implementation of different control strategies. The Extreme Ozone Attainment Demonstration Plan is required pursuant to state law and federal requirements. By revising and updating emission inventories and control strategies and preparing the Extreme Ozone Attainment Demonstration Plan, the SJVUAPCD is complying with state and federal law. No significant adverse impacts are anticipated on the air quality plan and, in fact, the proposed project is required to develop a legally enforceable air quality plan. This topic will not be further evaluated in the Draft EIR.

III. b), d): The anticipated effect of implementing the Extreme Ozone Attainment Demonstration Plan is obtaining new or further emissions reductions from stationary area and mobile sources. Implementing the control measures often requires installing air pollution control equipment. Although the primary effect of installing air pollution control equipment is to reduce emissions of a particular pollutant, e.g., VOCs or NO<sub>x</sub>, some types of control equipment have the potential to create secondary adverse air quality impacts, e.g., increased NO<sub>x</sub> emissions if VOC emissions are controlled through a combustion process. Further, some facilities may elect to reduce their VOC emissions by replacing high-VOC materials with alternative chemicals or water-based formulations that may contain toxic compounds, such as formaldehyde or glycol ethers.

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As a result, material replacement or reformulation to reduce the use of high-VOC materials has the potential to result in health risks associated with exposure to both carcinogenic and noncarcinogenic toxic air contaminants. Potentially significant impacts on criteria pollutants may occur due to: selective catalytic processes; increased generation of electricity, and use of diesel particulate filters.

Potentially significant impacts could result from measures that may reduce fuel efficiency or increase energy use and strategies that increase natural gas consumption. Because of the potential for secondary emissions from air pollution control equipment or reformulated products, there is a potential that sensitive receptors could be exposed to increased pollutant concentrations which may be significant. As a result, these potential air quality impacts will be evaluated in the Draft EIR.

III. c): Because the proposed control measures may result in significant adverse air quality effects, the project's incremental contribution to a cumulative effect may be cumulatively considerable. The cumulative impact of all the strategies is to reduce emissions of criteria pollutants and toxic contaminant emissions; however the potential secondary air quality impacts (i.e., emission increases) also must be considered. Cumulative air quality impacts from implementing the control measures proposed by the SJVUAPCD and other agencies will be evaluated in the Draft EIR.

III. e): Although in some cases reformulated products have noticeable odors, it is typically the case that reformulated products have less noticeable odors than the products they are replacing. As a result, significant adverse odor impacts have not been associated with reformulated products compared to conventional high-VOC products. Further, owners/operators of industries affected by control measures in the proposed Extreme Ozone Attainment Demonstration Plan would still be subject to existing air quality rules and regulations, which prohibits creating odor nuisances. In addition, the Extreme Ozone Attainment Demonstration Plan will control additional VOC emissions (e.g., additional oil and gas, and refinery and chemical fugitives, and new composting regulations) reducing the potential for odors from certain sources. For these reasons, implementing the Extreme Ozone Attainment Demonstration Plan is not anticipated to create significant adverse odor impacts and, therefore, will not be further addressed in the Draft EIR.

The goal of the Extreme Ozone Attainment Demonstration Plan is to protect public health by achieving the state and federal ambient air quality standards. However, secondary adverse air quality impacts may occur from implementing the proposed control measures due to localized increases in criteria pollutant emissions from certain types of air pollution control equipment. Therefore, potential adverse air quality impacts resulting from implementing the Extreme Ozone Attainment Demonstration Plan will be evaluated in the Draft EIR.

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#### **IV. BIOLOGICAL RESOURCES**

IV. a), b), d): No direct or indirect impacts from implementing the Extreme Ozone Attainment Demonstration Plan control measures were identified that could adversely affect plant and/or animal species in the District. The effect of implementing the Extreme Ozone Attainment Demonstration Plan control measures is primarily in modifications at existing commercial or industrial facilities to control or further control emissions. Such existing commercial or industrial facilities are generally located in appropriately zoned commercial or industrial areas, which typically do not support 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. Similarly, modifications at existing facilities would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with native or resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Further, since the Extreme Ozone Attainment Demonstration Plan primarily regulates stationary emission sources at existing commercial or industrial facilities, it does not directly or indirectly affect land use policy that may adversely affect riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations, or identified by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Improving air quality is anticipated to provide health benefits to plant and animal species in the District. There are no additional control measures contained in the Extreme Ozone Attainment Demonstration Plan that would alter this determination.

The Extreme Ozone Attainment Demonstration Plan includes Control Measure Q – Open Burning which would phase out open burning between 2005 and 2010, pursuant to Health and Safety Code §41855.5(a). Additional language was included in the Health and Safety Code requirements that require the District to develop a rule to regulate limited open burning for disposal of diseased crops and weed control. Therefore, the control measures would still allow for limited open burning of diseased crops and weed control, minimizing the potential impacts associated with the spread of disease within crops and other vegetation.

Several control measures would control emissions from agricultural operations, or control emissions from engines or gasoline storage and dispensing facilities located at agricultural operations, requiring additional control equipment, new equipment, or revised operations. These control measures may change certain operating conditions at these facilities but would not require the closure of these facilities, thus, potentially changing the land use and resulting in the elimination of agricultural or other biological resources.

IV. c): As noted in the previous item, promulgating control measures in the Extreme Ozone Attainment Demonstration Plan may require modifications at existing industrial or commercial facilities to control or further control emissions at these affected facilities. Similarly, the Extreme Ozone Attainment Demonstration Plan contains control

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measures that establish emission standards for mobile sources. As a result, the proposed project would not affect land use policies or designations. For these reasons the proposed project would not adversely affect protected wetlands as defined by §404 of the Clean Water Act, including, but not limited to marshes, vernal pools, coastal wetlands, etc., through direct removal, filling, hydrological interruption or other means.

IV. e), f): Implementing the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to affect land use plans, local policies or ordinances, or regulations protecting biological resources such as a tree preservation policy or ordinance for the reasons already given, i.e. control measures promulgated as rules or regulations primarily affect existing facilities located in appropriately zoned areas or establish emission standards for mobile sources. Land use and other planning considerations are determined by local governments and no land use or planning requirements would be altered by the proposed project. Similarly, the proposed Extreme Ozone Attainment Demonstration Plan would not affect in any way habitat conservation or natural community conservation plans, agricultural resources or operations, and would not create divisions in any existing communities.

Based upon the above considerations, implementing the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to adversely affect biological resources and, therefore, will not be further evaluated in the Draft EIR.

## **V. CULTURAL RESOURCES**

V. a) - d): Implementing the proposed Extreme Ozone Attainment Demonstration Plan is primarily anticipated to result in controlling stationary source emissions at existing commercial or industrial facilities and establishing emission standards for mobile sources. Affected facilities are typically located in appropriately zoned commercial or industrial areas that have previously been disturbed. Because potentially affected facilities are existing facilities and controlling stationary source emissions does not typically require extensive cut-and-fill activities or excavation, it is unlikely that implementing control measures in the Extreme Ozone Attainment Demonstration Plan would: adversely affect historical or archaeological resources as defined in CEQA Guidelines §15064.5, destroy unique paleontological resources or unique geologic features, or disturb human remains interred outside formal cemeteries.

In a small number of cases, implementing control measures in the proposed Extreme Ozone Attainment Demonstration Plan may require minor site preparation and grading at an affected facility. Under this circumstance, it is possible that archaeological or paleontological resources would be uncovered. Even if this circumstance were to occur, significant adverse cultural resources impacts are not anticipated because there are existing laws in place that are designed to protect and mitigate potential adverse impacts to cultural resources. As with any construction activity, should archaeological resources be found during construction that result from implementing the proposed

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Extreme Ozone Attainment Demonstration Plan control measures, the activity would cease until a thorough archaeological assessment is conducted.

The proposed Extreme Ozone Attainment Demonstration Plan is, therefore, not anticipated to result in any construction activities or promote any programs that could have a significant adverse impact on cultural resources in the District. Consequently, this environmental topic will not be evaluated further in the Draft EIR.

## **VI. GEOLOGY AND SOILS**

VI. a), c) and d): The proposed Extreme Ozone Attainment Demonstration Plan would not directly expose people or structures to earthquake faults, seismic shaking, seismic-related ground failure including liquefaction, landslides, mudslides or substantial soil erosion for the following reasons. When implemented as rules or regulations, control measures do not directly or indirectly result in construction of new structures. Some structural modifications, however, at existing affected facilities may occur as a result of installing control equipment or making process modifications. In any event, existing affected facilities or modifications to existing facilities would be required to comply with relevant Uniform Building Code requirements in effect at the time of initial construction or modification of a structure.

New structures must be designed to comply with the Uniform Building Code Zone 4 requirements since the District is located in a seismically active area. The local cities or counties are responsible for assuring that projects comply with the Uniform Building Code as part of the issuance of the building permits and can conduct inspections to ensure compliance. The Uniform Building Code is considered to be a standard safeguard against major structural failures and loss of life. The goal of the Code is to provide structures that would: (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage but with some non-structural damage; and (3) resist major earthquakes without collapse but with some structural and non-structural damage.

The Uniform Building Code bases seismic design on minimum lateral seismic forces ("ground shaking"). The Uniform Building Code requirements operate on the principle that providing appropriate foundations, among other aspects, helps to protect buildings from failure during earthquakes. The basic formulas used for the Uniform Building Code seismic design require determination of the seismic zone and site coefficient, which represents the foundation conditions at the site.

Any potentially affected facilities that are located in areas where there has been historic occurrence of liquefaction, e.g., existing conditions indicate a potential for liquefaction, including expansive or unconsolidated granular soils and a high water table, may have the potential for liquefaction induced impacts at the project sites. The Uniform Building Code requirements consider liquefaction potential and establish more stringent requirements for building foundations in areas potentially subject to liquefaction.



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Therefore, compliance with the Uniform Building Code requirements is anticipated to minimize the potential impacts associated with liquefaction. The issuance of building permits from the local cities or counties would assure compliance with the Uniform Building Code requirements. Therefore, no significant impacts from liquefaction are anticipated and this potential impact will not be considered further. As a result, these topics will not be further evaluated in the Draft EIR.

VI. b): Although the proposed Extreme Ozone Attainment Demonstration Plan control measures may require modifications at existing industrial or commercial facilities, such modifications are not anticipated to require substantial grading or construction activities. Similarly, the proposed Extreme Ozone Attainment Demonstration Plan does not include control measures that require paving to reduce fugitive dust emissions from dirt roads or unpaved parking areas. The proposed project does not have the potential to substantially increase the area subject to compaction or overcovering since the subject areas would be limited in size and, typically, have already been graded or displaced in some way. Therefore, significant adverse soil erosion impacts are not anticipated from implementing the Extreme Ozone Attainment Demonstration Plan and will not be further analyzed in the Draft EIR.

VI. e) Septic tanks or other similar alternative wastewater disposal systems are typically associated with small residential projects in remote areas. The proposed Extreme Ozone Attainment Demonstration Plan does not contain any control measures that generate construction of residential projects in remote areas. Extreme Ozone Attainment Demonstration Plan control measures typically affect existing industrial or commercial facilities that are already connected to appropriate sewerage facilities. Based on these considerations, the use of septic tanks or other alternative wastewater disposal systems will not be further evaluated in the Draft EIR.

## **VII. HAZARD & HAZARDOUS MATERIALS**

VII. a), b) & c): The proposed Extreme Ozone Attainment Demonstration Plan has the potential to create direct or indirect hazard impacts in the following ways. Some control measures that seek to regulate VOC emissions by establishing VOC content requirements for products such as coatings, may result in reformulating these products with materials that have low or exempt VOC materials. It is possible that such reformulated products could have hazardous physical or chemical properties, which could create hazard impacts through the routine transport or disposal of these materials or through upset conditions involving the accidental release of these materials into the environment.

It is anticipated that future VOC content limits required for coatings and other products can be achieved, in part, through the use of coatings and products reformulated with acetone exempt solvents and water-based solvents. Acetone is an exempt compound from air quality rules and regulations because of its low reactivity. The trend is to replace solvents with less toxic/less hazardous materials that do not contain hazardous

air pollutants. To the extent that hazardous materials are used to replace (see Table 4 below) higher-VOC containing materials, it is conceivable that implementing these control measures could create hazard impacts.

As shown in the Table 4, the flammability classifications by the National Fire Protection Association (NFPA) are the same for acetone, t-butyl acetate, toluene, xylene, MEK, isopropanol, butyl acetate, and isobutyl alcohol. Recognizing that as a “worst-case,” acetone has the lowest flash point, it still has the highest Lower Explosive Limit, which means that acetone vapors would not cause an explosion unless the vapor concentration exceeds 26,000 ppm. Under operating guidelines of working with flammable coatings under well-ventilated conditions, as prescribed by the fire department codes, it would be difficult to achieve concentrated streams of such vapors (SCAQMD, 2003).

**TABLE 4**

**CHEMICAL CHARACTERISTICS FOR COMMON COATING SOLVENTS**

Chemical Compounds	Flashpoint (°F)	Lower Explosive Limit (% by Vol.)	Flammability Classification (NFPA)
Toluene	40	1.3	Serious
Xylene	90	1.1	Serious
MEK	21	2.0	Serious
Isopropanol	53	2.0	Serious
Butyl Acetate	72	1.7	Serious
Isobutyl Alcohol	82	1.2	Serious
Stoddard Solvent	140	0.8	Moderate
Petroleum Distillates (Naphtha)	105	1.0	Severe
EGBE	141	1.1	Moderate
EGME	107	2.5	Moderate
EGEE	120	1.8	Moderate
Acetone	1.4	2.6	Serious
Di-Propyl Glycol	279	1	Slight
Propylene Glycol	210	2.6	Slight
Ethylene Glycol	232	3.2	Slight
Texanol	248	0.62	Slight
Oxsol 100	109	0.90	Slight
t-Butyl Acetate	59	1.5	Serious

Source: SCAQMD, 2003

As a “worst-case” assumption, it is assumed most affected coating categories would be reformulated with acetone to meet the VOC content limits. The labels and MSDSs accompanying acetone-based products caution the user regarding acetone’s flammability and advises the user to “keep the container away from heat, sparks, flame

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and all other sources of ignition.” All of the large coating manufacturers currently offer pure acetone for sale in quart or gallon containers with similar warnings.

The fire departments regulate spray application of flammable or combustible liquids. They require no open flame, spark-producing equipment or exposed surfaces exceeding the ignition temperature of the material being sprayed within the area. For open spraying, as would be the case for the field application of the acetone-based coatings, no spark-producing equipment or open flame shall be within 20 feet horizontally and 10 feet vertically of the spray area. Anyone not complying with the guidelines would be in violation of the current fire codes. The fire departments limit residential storage of flammable liquids to five gallons and recommends storage in a cool place. If the flammable coating container will be exposed to direct sunlight or heat, storage in cool water is recommended. Finally, all metal containers involving the transfer of five gallons or more should be grounded and bonded (SCAQMD, 2003).

Based upon the above considerations, hazard impacts and impacts to fire departments are anticipated to be less-than-significant. Similarly, any increase in future compliant coating materials are anticipated to result in a concurrent reduction in the number of accidental releases of coating materials. As a result, the net number of accidental releases are anticipated to remain constant. Furthermore, if manufacturers use solvents such as Texanol, propylene glycol, etc., in future compliant water-borne coatings, no significant adverse hazard impacts are anticipated to occur, because in general, these solvents are less flammable solvents as rated by the NFPA (SCAQMD, 2003).

Greater use of alternative clean fuels could also create hazard impacts in the event of an accidental release of these materials into the environment. Some potential control measures would require or offer incentives to use fuel additives to provide emission reductions including C – Fleet Rule for School Buses, H – Stationary IC Engines, Heavy Duty Engine Incentive Program and the Light and Medium Duty Vehicle Incentive Program. Compressed natural gas (CNG) is a flammable material and increased use of natural gas could result in increased hazards associated with the transport and use of natural gas, particularly in mobile sources.

Natural gas which is a mixture of hydrocarbons, mainly methane, that are in gaseous form at ambient temperature and pressure. Natural gas can be compressed to increase its density, and in compressed form it contains a high enough fuel value that it can be used as a fuel for motor vehicles. Typical on-board pressures for CNG range from 3,000 to 3,600 pounds per square inch gauge (psig).

Compared with diesel fuel and gasoline the following can be stated:

- Diesel fuel and gasoline are toxic to the skin and lungs and CNG is not;

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- Diesel fuel and gasoline vapors are heavier than air (for specific gravity of air =1, gasoline is 3.4 and diesel fuel is greater than 4). CNG is lighter than air (specific gravity is 0.55) and disperses more readily in air;
  - CNG has a higher auto-ignition temperature (1,200 °F) than diesel fuel (500 °F) or gasoline (500 °F);
  - CNG is more difficult to ignite since it has a “lower flammability limit” that is higher (5.3 percent) than gasoline (one percent) or diesel fuel (0.5 percent); and,
  - Natural gas can be directly shipped via pipelines to the compressor station, rather than by on-road delivery trucks, and has less delivery accident risk than vehicle shipments.

The compressed natural gas cylinders in vehicles are built to rigorous quality standards (Standards for CNG Vehicular Fuel Systems are specified in NFPA 52). CNG fuel tanks are made of one-half to three-quarter inch aluminum or steel and have been shown to be safer than conventional gasoline tanks in accidents (SCAQMD, 2003).

If a sudden release of CNG were to occur, the gas disperses rather than pooling or forming a vapor cloud like gasoline. Due to the high ignition temperature of CNG, the risk of fire is lower than gasoline and comparable to diesel fuel (SCAQMD, 2003).

CNG bottles are typically stored above ground as opposed to below ground for gasoline or diesel fuel tanks. As such, there is a risk of vehicles colliding with the bottles causing a gas release. This can generally be mitigated by installation of curbing and bollards to protect the tanks from vehicle operations.

The main additional hazard associated with the use of CNG versus conventional fuels is the exposure to high pressures employed during storage, dispensing, and operations. Due to these high pressures, a large amount of gas could escape in a short amount of time and, if present under flammable conditions, could explode in the presence of an ignition source. Another potentially significant hazard is a release of natural gas during vehicle maintenance.

There are various existing regulations and recommended safety procedures that would reduce any slightly higher insignificant hazards associated with use of alternative clean fuels to the same or lower level as conventional fuels. For example, the regulations and safety procedures associated with danger of releasing gas potentially creating explosive hazards includes the procedure to install methane detection systems to provide early detection of leaks and alert the maintenance personnel (California Fire Code (CFC) 2903.2.5). In addition, ignition sources can be reduced/eliminated by ensuring that all electrical systems are explosion proof (smoking and open flames are prohibited under CFC 2901.7). Providing adequate ventilation can prevent the occurrence of explosive conditions (required under CFC 2903.1). Procedures can be established to ensure that all vehicles requiring maintenance are defueled and depressurized before admission to the maintenance depot (SCAQMD, 2003).

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Use of alternative fuels would require additional knowledge and training of owners/operators of fueling stations regarding maintaining and operating alternative fuel refueling stations and emergency responders. Therefore, when users of alternative fuels comply with existing regulations and recommended safety procedures, hazards impacts associated with the use of alternative clean-fuels would be the same or less than those of conventional fuels. Accordingly, significant hazard impacts are not anticipated from the increased use of alternative fuels.

The potential control measures E - Small Boilers, Process Heaters, and Steam Generators 2-5 mmBtu/hr and G - Solid Fuel Boilers, Steam Generators and Process Heaters would require the increased use and storage of ammonia. The facilities that would be affected include industrial and commercial facilities located in industrial/commercial zones. Ammonia or urea is used to react with the NO<sub>x</sub>, in the presence of a catalyst, to form nitrogen gas and water using Selective Catalytic Reduction (SCR) technology. Sources that choose to meet new NO<sub>x</sub> limits by installing SCR technology would contribute to increases in ammonia emissions. Ammonia emissions from the SCR technology are a result of unused reagent filtering past the catalyst and being expelled along with the exhaust (a.k.a., ammonia slip). These ammonia emissions can be kept to a minimum by keeping the equipment properly maintained and in good operating condition. Ammonia has not been classified as a carcinogen by California's Office of Environmental Health and Hazard Assessment. However, there are acute and chronic health effects associated with ammonia. 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 needed for this technology, the potential for acute exposure is minimized. Adherence to these regulations is anticipated to minimize significant impacts associated with the use of ammonia. A limit on ammonia slip is normally included in permits to operate stationary sources, which should minimize potential air quality impacts associated with ammonia slip from these sources.

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 into the gaseous form, which is its normal state at atmospheric pressure and ambient temperature produces a toxic cloud. 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 CalARP requirements, aqueous ammonia is regulated under California Health and Safety Code Section 2770.1. The use of aqueous

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ammonia would further minimize the hazard impacts associated with ammonia use to less than significant.

VII. d): For any facilities affected by the Extreme Ozone Attainment Demonstration Plan control measures that are on the Government Code §65962.5 list, it is anticipated that they would continue to manage any and all hazardous materials in accordance with federal, state, and local regulations. Facilities on this list generally have some known contamination present on the site. Most of the proposed control measures would not require the use of hazardous materials. The proposed control measures generally apply to commercial and industrial facilities and the control measures are not anticipated to create a significant hazard to the public even if the site is included on the Government Code §65962.5 lists. The construction of new facilities would require compliance with state and federal regulations and requirements for handling, treatment, and disposal of hazardous materials and waste. The proposed control measures are not anticipated to impact any clean up activities or contaminated sites; therefore, no significant adverse impacts are anticipated. This topic will not be further evaluated in the Draft EIR.

VII. e) & f): The proposed project would not adversely affect any airport land use plan or result in any safety hazard for people residing or working in the District.

U.S. Department of Transportation – Federal Aviation Administration Advisory Circular AC 70/7460-2K provides information regarding the types of projects that may affect navigable airspace. Projects that involve construction or alteration of structures greater than 200 feet above ground level within a specified distance from the nearest runway; objects within 20,000 feet of an airport or seaplane base with at least one runway more than 3,200 feet in length and the object would exceed a slope of 100:1 horizontally (100 feet horizontally for each one foot vertically from the nearest point of the runway; etc., may adversely affect navigable airspace. Control measures in the proposed Extreme Ozone Attainment Demonstration Plan will not require construction of tall structures near airports so potential impacts to airport land use plans or safety hazards to people residing or working in the vicinity of local airports are not anticipated. This potential impact will not be further addressed in the Draft EIR.

VII. g): The proposed project would not impair implementation of, or physically interfere with any adopted emergency response plan or emergency evacuation plan. Any existing commercial or industrial facilities affected by proposed control measures would typically have their own emergency response plans for their facilities already in place. Emergency response plans are typically prepared in coordination with the local city or county emergency plans to ensure the safety of not only the public, but the facility employees as well. Adopting the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to interfere with any emergency response procedures or evacuation plans and, therefore, will not be further evaluated in the Draft EIR.

VII. h): The proposed Extreme Ozone Attainment Demonstration Plan would typically affect existing commercial or industrial facilities in appropriately zoned areas. Since commercial and industrial areas are not typically located near wildland or forested areas, implementing control measures has no potential to increase the risk of wildland fires. This topic will not be further evaluated in the Draft EIR.

## **VIII. HYDROLOGY/WATER QUALITY**

VIII. a) & f): The proposed Extreme Ozone Attainment Demonstration Plan control measures may require modifications to existing industrial or commercial facilities. It is assumed that any affected facilities that generate wastewater and are subject to waste discharge or pretreatment requirements currently comply with and would continue to comply with all relevant wastewater requirements, waste discharge regulations, and standards for stormwater runoff, and any other relevant requirements for direct discharges into sewer systems. These standards and permits require water quality monitoring and reporting for onsite water-related activities. Should the volume or discharge limits change as a result of implementing control measures, the facility would be required to consult with the appropriate Regional Water Quality Control Board and/or the local sanitation district to discuss these changes. It is not anticipated, however, that implementing the Extreme Ozone Attainment Demonstration Plan would cause any exceedances of water quality standards or waste discharge requirements. It is anticipated that affected facilities would continue to comply with any applicable requirements of the appropriate Regional Water Quality Control Boards. Therefore, this topic will not be evaluated further in the Draft EIR.

VIII. b): The proposed project contains no control measures that would substantially increase water usage at affected facilities. Additionally, although some affected facilities might have to make minor modifications to install control equipment, only minor trenching, grading, or other earth disturbing activities would be necessary for construction, so substantial volumes of additional water would not be needed as a dust suppressant. Thus, implementing the proposed project would not deplete groundwater supplies or interfere substantially with groundwater recharge or require the need for new or expanded water entitlements.

VIII. c), d), & e): The proposed Extreme Ozone Attainment Demonstration Plan generally is anticipated to impose control requirements on stationary sources at existing commercial or industrial facilities. As a result, the proposed control measures would not be anticipated to generate in and of themselves new structures that could alter existing drainage patterns by altering the course of a river or stream that would result in substantial erosion, siltation, or flooding on or offsite, increase the rate or amount of surface runoff that would exceed the capacity of existing or planned stormwater drainage systems, etc. Although minor modifications might occur at existing commercial or industrial facilities affected by the proposed Extreme Ozone Attainment Demonstration Plan control measures, these facilities have, typically, already been graded and the areas surrounding them have likely already been paved over or

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landscaped. As a result, further minor modifications at affected facilities that may occur as a result of implementing the Extreme Ozone Attainment Demonstration Plan are not anticipated to alter existing drainage patterns or stormwater runoff. Since this potential adverse impact is not considered to be significant, it will not be further evaluated in the Draft EIR.

Control Measure L – Concentrated Animal Feeding Operations, would address the wastes from confined populations of animals in dairies and feedlots. Livestock wastes are deposited in corrals, feedlots, pastures, turkey and chicken coups, and other places where livestock are kept. VOC is emitted from bovine digestive systems and from the aerobic decomposition of manure. The anaerobic decomposition of livestock wastes (primarily manure) emits mostly methane and carbon dioxide and some reduced sulfur and nitrogen compounds. This potential control measure could use anaerobic digestion in large tanks similar to sludge digesters at sewage treatment plants. Livestock wastes may be composted or land filled (aerobic processes) and the gases of decomposition captured and destroyed by processes like adsorption or incineration.

Lagoon and composting treatment of the wastes could have runoff of organic matter discharged into surface water. However, key storm water monitoring and control protocols established in coordination with Local Enforcement Agency and the Regional Water Quality Control Board, as specified in Waste Discharge Requirements usually would certify that all non-storm water discharges to storm water conveyance systems have been eliminated. In addition, periodic inspections and drainage system maintenance, as designed, would prevent run-off from adversely affecting the local and regional watershed areas. This is considered a less than significant impact and will not be evaluated further in the Draft EIR.

VIII. g), h), and i): The proposed project does not include the construction of new or relocation of existing housing or other types of facilities and, as such, would not require the placement of housing or other structures within a 100-year flood hazard area. (See also XII “Population and Housing”). As a result, the proposed project would not be anticipated to involve significant risks from flooding; expose people or structures to significant risk of loss, injury or death involving flooding; or increase existing risks, if any, of inundation by seiche, tsunami, or mudflow. Consequently, this topic will not be evaluated further in the Draft EIR.

## **IX. LAND USE/PLANNING**

IX. a): The Extreme Ozone Attainment Demonstration Plan generally is anticipated to impose control requirements on stationary sources at existing commercial or institutional facilities and establish emission specifications for mobile sources. As a result, the proposed Extreme Ozone Attainment Demonstration Plan does not require construction of structures for new land uses in any areas of the District and, therefore, is not anticipated to create divisions in any existing communities.



IX. b) & c): Any facilities affected by the proposed Extreme Ozone Attainment Demonstration Plan would still be anticipated to comply with, and not interfere with, any applicable land use plans, zoning ordinances, habitat conservation or natural community conservation plans. There are no provisions of the proposed project that would directly affect these plans, policies, or regulations. The SJVUAPCD is specifically excluded from infringing on existing city or county land use authority (California Health & Safety Code §40414). Land use and other planning considerations are determined by local governments and no present or planned land uses in the region or planning requirements would be directly altered by the proposed project. Any facilities affected by the potential SIP Update would still be anticipated to comply with, and not interfere with, any applicable land use plans, zoning ordinances, habitat conservation or natural community conservation plans.

Land use and other planning considerations are determined by local governments. The Air Districts are precluded from infringing on city or county land use authority. (California Health and Safety Code, Sec. 40716(b).) Nevertheless, some potential control measures encourage local governments to favorably consider mixed-use development, in-fill development, jobs/housing balance, and limits on suburban growth (i.e., Control Measure D – Indirect Source Mitigation). Indirect Source Mitigation is aimed at controlling secondary emissions from development that attract or generate motor vehicle trips. The SJVUAPCD is currently evaluating rules to implement the Indirect Source Mitigation measure that would require mitigation measures and/or emission based fees to fund projects that reduce emissions. Developers would have the option for mitigating emissions on-site through project design and location, credit for the installation of infrastructure and equipment at the project site that would reduce vehicle trips or emissions, and/or the payment of a fee. While development that conforms to the Indirect Source Mitigation requirements could alter the homogenous character of an existing residential or commercial neighborhood, however, it is more likely to be incorporated into a new project. In-fill development can remove small and isolated open spaces from a neighborhood, it is more likely to be used to redevelop blighted or underutilized sites. It is anticipated that the local government approving the new development would require the developments to comply with local land use requirements in a manner that would avoid significant adverse effects on existing neighborhoods. Thus, no significant adverse land use impact is anticipated from the application of this potential control measures.

There are existing links between population growth, land development, housing, traffic and air quality. The eight Metropolitan Planning agencies within the SJVUAPCD, which are also regional transportation planning agencies, account for these links when designing ways to improve air quality, transportation systems, land use, compatibility and housing opportunities in the region. Land use planning is handled at the local level and contributes to planning (e.g., growth projections), but the Extreme Ozone Attainment Demonstration Plan does not affect local government land use planning decisions.

Based upon the above considerations, land use and planning issues will not be further evaluated in the Draft EIR.

## **X. MINERAL RESOURCES**

X. a), b): There are no provisions of the proposed project that would directly result in the loss of availability of a known mineral resource of value to the region and the residents of the state, or of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to deplete non-renewable mineral resources, such as aggregate materials, metal ores, etc., at an accelerated rate or in a wasteful manner because control measures are typically not mineral resource intensive measures. Therefore, significant adverse impacts to mineral resources are not anticipated so this topic will not be further evaluated in the Draft EIR.

## **XI. NOISE**

XI. a) - d): The proposed project may require existing commercial or industrial owners/operators of affected facilities to install air pollution control equipment or modify their operations to reduce stationary source emissions. Potential modifications would occur at facilities typically located in appropriately zoned industrial or commercial areas. Ambient noise levels in commercial and industrial areas are typically driven primarily by freeway and/or highway traffic in the area and any heavy-duty equipment used for materials manufacturing or processing at nearby facilities. It is not anticipated that any modifications to install air pollution control equipment would substantially increase ambient [operational] noise levels in the area, either permanently or intermittently, or expose people to excessive noise levels that would be noticeable above and beyond existing ambient levels. The Extreme Ozone Attainment Demonstration Plan may result in construction activities, e.g., the construction of control devices. Noise levels could temporarily increase in areas where construction activities are required, which would largely be commercial or industrial areas. Affected facilities would be required to comply with existing noise ordinances and meet noise standards established in local general plans, noise elements, or noise ordinances currently in effect.

It is also not anticipated that the proposed project would cause an increase in groundborne vibration levels because air pollution control equipment is not typically vibration intensive equipment. Consequently, the Extreme Ozone Attainment Demonstration Plan would not directly or indirectly cause substantial noise or excessive groundborne vibration impacts. These topics, therefore, will not be further evaluated in the Draft EIR.

XI. e) & f): Affected facilities would still be anticipated to comply, and not interfere, with any applicable airport land use plans and disclose any excessive noise levels to affected residences and workers pursuant to existing rules, regulations and

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requirements, such as CEQA. It is assumed that operations in these areas are subject to and in compliance with existing community noise ordinances and applicable OSHA or Cal/OSHA workplace noise reduction requirements. In addition to noise generated by current operations, noise sources in each area may include nearby freeways, truck traffic to adjacent businesses, and operational noise from adjacent businesses. As noted in the previous item, there are no components of the proposed Extreme Ozone Attainment Demonstration Plan that would substantially increase ambient noise levels, either intermittently or permanently. Therefore, noise impacts will not be further evaluated in the Draft EIR.

## **XII. POPULATION/HOUSING**

XII. a): The proposed project is not anticipated to generate any significant effects, either directly or indirectly, on the District's population or population distribution. The District has experienced a large increase in population in the past several decades. The total population in the District increased by 22 percent between 1990 and 2000, and California's Department of Finance is projecting that the SJVAB will experience an overall increase in population of 24 percent between 2000 and 2010 (SJVUAPCD, 2003). The proposed Extreme Ozone Attainment Demonstration Plan generally affects existing commercial or industrial facilities located in predominantly industrial or commercial urbanized areas throughout the District. In addition, it is not anticipated that affected facilities will be required to hire additional personnel to operate and maintain new control equipment on site because air pollution control equipment is typically not labor intensive equipment. In the event that new employees are hired, it is anticipated that the existing local labor pool in the District can accommodate any increase in demand for workers that might occur as a result of adopting the proposed Extreme Ozone Attainment Demonstration Plan. As such, adopting the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to result in changes in population densities or induce significant growth in population.

XII. b) & c): Because of the region's available workforce, any demand for new employees can be accommodated from the local region, so no substantial population displacement is anticipated. Therefore, construction of replacement housing elsewhere in the District is not anticipated. Therefore, population/housing impacts will not be further evaluated in the Draft EIR.

## **XIII. PUBLIC SERVICES**

XIII. a), & b): There is no potential for significant adverse public service impacts as a result of adopting the Extreme Ozone Attainment Demonstration Plan. Adverse impacts to public services as a result of implementing the proposed control measures at services such as fire departments, police departments and local governments are not anticipated. The proposed project would not result in the need for new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives.

XIII. c) & d): Adopting the proposed Extreme Ozone Attainment Demonstration Plan would not induce population growth or alter the distribution of existing population. The Plan also would not displace existing housing, including affordable housing as the measures would generally impact industrial and commercial facilities. Thus, implementing control measures would not increase or otherwise induce population growth or displace existing housing in the District. No significant adverse impacts to public services are foreseen as a result of adopting the proposed Extreme Ozone Attainment Demonstration Plan.

Based upon the above information, adopting the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to create significant adverse public service impacts, therefore, this topic will not be further evaluated in the Draft EIR.

#### **XIV. RECREATION**

XIV. a) & b): As discussed under “Land Use and Planning” above, there are no provisions of the proposed project that would affect land use plans, policies, ordinances, or regulations. Land use and other planning considerations are determined by local governments. No land use or planning requirements, including those related to recreational facilities, would be altered by the proposal. The proposed project does not have the potential to directly or indirectly induce population growth or redistribution. As a result, the proposed project would not increase the use of, or demand for existing neighborhood and/or regional parks or other recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. As a result, this topic will not be further evaluated in the Draft EIR.

#### **XV. TRANSPORTATION/TRAFFIC**

XV. a), b) & f): Adopting the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to substantially increase vehicle trips or vehicle miles traveled in the District. Included as part of the proposed Extreme Ozone Attainment Demonstration Plan are some mobile source related control measures. Additional transportation control measures are anticipated to be implemented by the eight Metropolitan Planning Organizations in the San Joaquin Valley. These transportation control measures include strategies to enhance mobility by reducing congestion through transportation infrastructure improvements, mass transit improvements, increasing telecommunications products and services, enhanced bicycle and pedestrian facilities, etc. Specific strategies that serve to reduce vehicle trips and vehicle miles traveled, such as strategies resulting in greater reliance on mass transit, ridesharing, telecommunications, etc., are anticipated to result in reducing traffic congestion. Although population in the District will continue to increase, implementing the transportation control measures will ultimately result in greater percentages of the population using transportation modes other than single occupant vehicles. As a result,

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relative to population growth, existing traffic loads and the level of service designation for intersections District-wide would not be anticipated to decline at current rates, but could possibly improve to a certain extent. Therefore, implementing the Extreme Ozone Attainment Demonstration Plan control measures could ultimately provide transportation improvements and congestion reduction benefits.

Although overall the Plan is anticipated to reduce vehicle miles traveled, some control measures (e.g., Indirect Source Mitigation measures) could encourage higher densities in localized areas by encouraging mixed-used development. The Indirect Source Mitigation measures would apply to new developments. The impacts of individual projects would need to be evaluated on a project-by-project basis by the local jurisdiction. Traffic studies would be required to determine if the existing street/road systems in the area can handle the proposed development or if new streets, signals, etc., would be required. The Indirect Source Mitigation measures also include measures that would reduce traffic within mixed-use development including interconnecting pedestrian pathways, providing transit benches and shelters, providing bicycle infrastructure (e.g., bike racks), providing bike routes, etc. On balance, an overall decrease in vehicle miles traveled and transportation impacts would be anticipated. Further, the new development would need to comply with the local land use rules and regulations that are generally developed with consideration of land use density and their related impact on the transportation systems. Therefore, compliance with the existing land use and zoning designation is anticipated to minimize traffic impacts to less than significant.

Adopting the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to result in inadequate parking at any affected facilities in the District. The reason for this conclusion is that, to the extent that transportation and related control measures reduce or limit the growth in daily vehicle trips or charge additional parking fees, there could be a slight reduction in current or future demand for parking compared to existing levels of parking demand.

XV. c): The proposed project would not increase air traffic levels. Therefore, no significant adverse impacts are anticipated.

XV. d): It is not anticipated that adopting the proposed Extreme Ozone Attainment Demonstration Plan would directly or indirectly increase roadway design hazards or incompatible risks. To the extent that implementing components of the transportation control measures and related measures further develop roadway infrastructure or limit truck traffic to certain interstates, it is anticipated that there would ultimately be a reduction in roadway hazards or incompatible risks as part of any roadway infrastructure improvements.

XV. e): Controlling emissions at existing commercial or industrial facilities and establishing mobile source controls are not anticipated to affect in any way emergency access routes at any affected commercial or industrial facilities. The reason for this

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conclusion is that controlling emissions (from stationary sources in particular) is not anticipated to require construction of any structures that might obstruct emergency access routes at any affected facilities.

XV. g): Adopting the Extreme Ozone Attainment Demonstration Plan would not conflict with adopted policies, plans or programs supporting alternative transportation programs. In fact, the transportation and related control measures would specifically encourage and provide incentives for implementing alternative transportation programs and strategies. Adopting the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to generate any significant adverse impacts to transportation or traffic systems, so this topic will not be further evaluated in the Draft EIR.

## **XVI. UTILITIES/SERVICE SYSTEMS**

XVI. a), b) and e): To reduce VOC emissions, some proposed control measures may involve reformulating products such as coatings and solvents with low VOC or exempt solvents. Under this circumstance, it is not anticipated that there would be a substantial increase in the volume of wastewater generated by affected facilities, there could be a slight change in the nature and toxicity of wastewater effluent. This topic, therefore, will be further evaluated the Draft EIR. The stationary source control measures generate potentially significant adverse water quality impacts from add-on air pollution control equipment such as wet scrubbers, alternative fuels and reformulated low-VOC products, etc.

XVI. c): The proposed Extreme Ozone Attainment Demonstration Plan generally is anticipated to impose control requirements on stationary sources at existing commercial or institutional facilities. As a result, the proposed control measures would not be anticipated to generate in and of themselves new structures that could alter existing drainage patterns by altering the course of a river or stream that would result in substantial erosion, siltation, or flooding on or offsite, increase the rate or amount of surface runoff that would exceed the capacity of existing or planned stormwater drainage systems, etc. Although minor modifications might occur at commercial or industrial facilities affected by the proposed Extreme Ozone Attainment Demonstration Plan control measures, these facilities have, typically, already been graded and the areas surrounding them have likely already been paved over or landscaped. As a result, further minor modifications at affected facilities that may occur as a result of implementing the Extreme Ozone Attainment Demonstration Plan are not anticipated to alter existing drainage patterns or stormwater runoff. Since this potential adverse impact is not considered to be significant, it will not be further evaluated in the Draft EIR.

XVI. d): Minor construction activities at affected commercial or industrial facilities may require small amounts of additional water supplies to control fugitive dust during grading. Typically, water is brought in by water truck to be spread on the ground during construction. Because construction activities tend to be ongoing activities throughout

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the District, it is not anticipated that a new infrastructure to accommodate the temporary additional water needs during construction will be necessary.

Implementing the proposed control measures could result in an increase in water usage as certain control measures would use additional water resources (e.g., scrubbers). The current drought and recent changes in water entitlements make water supply adequacy uncertain. Therefore, proposed control measures that require additional water use could generate significant impacts on water demand. This topic will be evaluated further in the Draft EIR.

XVI. f): The proposed Extreme Ozone Attainment Demonstration Plan could require facilities to install air pollution control equipment, such as carbon adsorption devices, catalytic incineration, selective catalytic reduction or other types of control equipment that could increase the amount of solid/hazardous wastes generated in the District due to the disposal of spent catalyst, filters or other mechanisms used in the control equipment. Solid waste impacts would be considered significant if the impacts resulted in a violation of local, state or federal solid waste standards. Also, solid waste impacts would be significant if the additional potential waste volume exceeded the existing capacity of District landfills.

The possible measures to be considered may result in potentially significant adverse solid and hazardous waste impacts from the use of particulate filters, replacement of emission controls on older light-duty vehicles, accelerated vehicle retirement programs, evaporative controls utilizing carbon canisters, etc. The potential solid/hazardous waste impacts from implementing the proposed Extreme Ozone Attainment Demonstration Plan will be analyzed in the Draft EIR.

XVI. g): Adopting the proposed Extreme Ozone Attainment Demonstration Plan is not anticipated to interfere with affected facilities' abilities to comply with federal, state, or local statutes and regulations related to solid and hazardous waste handling or disposal. This specific topic will not be further evaluated in the Draft EIR.

**Other Impacts on Utilities:** Implementing some proposed control measures could increase energy demand in the region at affected facilities. Specifically some control measures would increase demand for electrical power to operate the equipment, natural gas for combustion devices, natural gas used as an alternative clean fuel for mobile sources, etc. As a result, implementing proposed control measures has the potential to: result in the need for new or substantially altered power or natural gas utility systems; and, create significant effects on peak and base period demands for electricity and other forms of energy. The control measures may result in potentially significant energy demand impacts from reduced fuel economy due to some diesel engine strategies, and increased electricity demand due to electrification of equipment and vehicles. Potentially significant adverse energy impacts in these areas will be further evaluated in the Draft EIR.

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## **XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

XVIII. a): Specifically with regard to the biological resources identified in this item, the proposed project is not anticipated to significantly adversely affect any biological resources including wildlife and the resources on which it relies, 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. Overall improvements in air quality are, ultimately, anticipated to provide substantial benefits to local biological resources in the District. Therefore, this topic will not be evaluated further in the Draft EIR.

XVIII. b): Because the proposed project has the potential to generate significant adverse project-specific environmental impacts in several environmental areas, the proposed project also has the potential to create significant adverse cumulative impacts if project-specific impacts are also deemed to be cumulatively considerable. Significant adverse impacts will be further analyzed in the Draft EIR only if project-specific impacts to a specific impact for a particular environmental topic are deemed significant.

XVIII. c): The proposed Extreme Ozone Attainment Demonstration Plan has the potential to create significant adverse impacts to human beings as a result of the possibility that it could create potentially significant adverse impacts in the following areas: air quality, and utilities/service systems. However, it is anticipated that the overall cumulative impacts on air quality would be beneficial as the estimated emission reductions are estimated to be much larger than any secondary emission increases. Significant adverse impact to any of these areas has the potential to adversely affect public health. Potentially significant adverse environmental impacts and feasible alternatives to the project will be analyzed in the Draft EIR.

## **F. REFERENCES**

San Joaquin Valley Unified Air Pollution Control District, 2003. Preliminary Draft Staff Report, Rule 3180 – Indirect Source Mitigation Fee, Rule 9510 – Indirect Source Review. October 7, 2003.

South Coast Air Quality Management District (SCAQMD), 2003. Final Draft Program Environmental Impact Report for 2003 AQMP, State Clearinghouse No. 2002081137, August 2003.



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59 cities within District Boundaries (Planning Directors)

Eight Counties within District Boundaries (Planning Directors)