

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

**New Draft Rule 4695 (Brandy and Wine Aging)**

**Initial Study and  
Final Negative Declaration**

**August 2009**

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

Environmental Analysis

September 17, 2009

---

**SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT  
GOVERNING BOARD 2009**

CHAIR:                   CHRIS VIERRA  
                                  Councilmember, City of Ceres

VICE CHAIR:           TONY BARBA  
                                  Supervisor, Kings County

**MEMBERS:**

DAVID G. AYERS  
Councilmember, City of Hanford

LEROY ORNELLAS  
Supervisor, San Joaquin County

JUDITH G. CASE  
Supervisor, Fresno County

JOHN G. TELLES, M.D.  
Appointed by Governor

RONN DOMINICI  
Supervisor, Madera County

RAYMOND A. WATSON  
Supervisor, Kern County

HENRY JAY FORMAN, PH.D.  
Appointed by Governor

J. STEVEN WORTHLEY  
Supervisor, Tulare County

JESUS GAMBOA  
Mayor, City of Visalia

ANN JOHNSTON  
Mayor, City of Stockton

RANDY MILLER  
Councilmember, City of Taft

MICHAEL G. NELSON  
Supervisor, Merced County

WILLIAM O'BRIEN  
Supervisor, Stanislaus County

**AIR POLLUTION CONTROL OFFICER**

SEYED SADREDIN

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

Environmental Analysis

September 17, 2009

---

**A. PROJECT BACKGROUND INFORMATION**

**1. Project Title: New Draft Rule 4695 (Brandy and Wine Aging)**

**2. Lead Agency Name and Address:**

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

**3. Contact Person:**

CEQA: David McDonough  
(559) 230-5920

Rule: Peter Biscay  
(559) 230-6100

**4. Project Location:**

The rule applies to brandy and wine aging facilities located within the boundaries of the San Joaquin Valley Unified Air Pollution Control District (see Exhibit 1, Map of District boundaries).

**5. Project Sponsor's Name and Address:**

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

**6. Assessor's Parcel Number:**

Not applicable.

**7. General Plan Designation/Zoning:**

Not Applicable.

# SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

Environmental Analysis

September 17, 2009

Exhibit 1 – Map of District Boundaries



# SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

Environmental Analysis

September 17, 2009

## 8. Project Description:

The San Joaquin Valley Air Pollution Control District (District) is proposing to adopt Draft Rule 4695 (Brandy and Wine Aging). The project would satisfy a commitment in the District's 2007 Ozone Plan to develop a control measure for volatile organic compound (VOC) emissions from brandy and wine aging operations. Actual controls have already been installed on most brandy aging operations as an alternative emission reduction measure to comply with the requirements of Rule 4694 (Wine Fermentation and Storage Tanks). Thus, this project is expected to impact only one existing brandy operation. This control measure could achieve additional emission reductions by requiring VOC controls on wine aging operations.

This new rule would codify the requirement for VOC emission controls which have been installed by wine fermentation operators under Rule 4694's alternative emission reduction option. This rule would specify RACT for major sources as the means to achieve the maximum amount of VOC emission reductions by using control technologies that are reasonably available. Most of the VOC emissions reduction from the control of brandy aging have already been accounted for by Rule 4694 and are not considered to be additive for SIP purposes.

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

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

## 10. Name of Person Who Prepared Initial Study:

David McDonough, Air Quality Specialist

## B. FINDINGS

District staff has prepared a Draft Staff Report for the proposed rule, incorporated herein by reference, which demonstrates that reducing VOC emissions from brandy and wine aging operations would have a positive impact on air quality. Pursuant to CEQA Guidelines §15063(a), District staff prepared an Initial Study for the proposed project. The District finds that there is no substantial evidence, in light of the whole record before the District, that the project may have a significant effect on the environment. District staff has prepared a Draft Negative Declaration for the project. Upon approval of the proposed rule by the District's Governing Board, District staff will file a Notice of Determination with each County Clerk within the boundaries of the District, CEQA Guidelines §15075(d).

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

Environmental Analysis

September 17, 2009

**C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

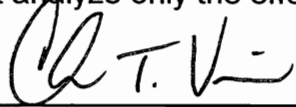
The environmental factors checked below would be potentially affected by the proposed project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated", as indicated by the checklist on the following pages.

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

**D. DETERMINATION**

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

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

Signature: 

Date: 9-17-09

Printed name: Chris Vierra  
Chair

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

Environmental Analysis

September 17, 2009

**E. ENVIRONMENTAL IMPACT CHECKLIST**

<b>I. AESTHETICS</b> Would the proposal:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Affect a scenic vista or scenic highway?				X
b) Have a demonstrable negative aesthetic effect?				X
c) Create light or glare?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements that would affect aesthetics, as identified above (a-c).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				
<b>II. AGRICULTURE RESOURCES</b> 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:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements that would affect agricultural resources, as identified above (a-c).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				
<b>III. AIR QUALITY</b> 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:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X

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

Environmental Analysis

September 17, 2009

<b>III. AIR QUALITY</b> (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
<p><b>Discussion:</b> The San Joaquin Valley Air Pollution Control District (District) is proposing to adopt Draft Rule 4695 (Brandy and Wine Aging). The project would satisfy a commitment in the District's 2007 Ozone Plan to develop a control measure for volatile organic compound (VOC) emissions from brandy and wine aging operations. Actual controls have already been installed on most brandy aging operations as an alternative emission reduction measure to comply with the requirements of Rule 4694 (Wine Fermentation and Storage Tanks). Thus, this project is expected to impact only one existing brandy operation. This control measure could achieve additional emission reductions by requiring VOC controls on wine aging operations.</p> <p>This new rule would codify the requirement for VOC emission controls which have been installed by wine fermentation operators under Rule 4694's alternative emission reduction option. This rule would specify RACT for major sources as the means to achieve the maximum amount of VOC emission reductions by using control technologies that are reasonably available. Most of the VOC emissions reduction from the control of brandy aging have already been accounted for by Rule 4694 and are not considered to be additive for SIP purposes.</p> <p>The District has prepared a Staff Report, incorporated herein by reference, evaluating potential impacts on air quality. The Staff Report demonstrates that this project would reduce fugitive VOC emissions and would have a positive impact on air quality in the San Joaquin Valley.</p>				
<p><b>Mitigation:</b> None</p>				
<p><b>Reference:</b> Draft Rule 4695 and supporting staff report.</p>				
<b>IV. BIOLOGICAL RESOURCES</b> Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
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,				X



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

Environmental Analysis

September 17, 2009

marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
<b>IV. BIOLOGICAL RESOURCES</b> (continued)	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

**Discussion:** Draft Rule 4695 is a rule development project. This project does not impose requirements affecting biological resources, as identified above (a-f).

**Mitigation:** None

**Reference:** Draft Rule 4695 and supporting staff report.

<b>V. CULTURAL RESOURCES</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

**Discussion:** Draft Rule 4695 is a rule development project. This project does not impose requirements affecting cultural resources, as identified above (a-d).

**Mitigation:** None

**Reference:** Draft Rule 4695 and supporting staff report.

<b>VI. GEOLOGY/SOILS</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Expose people or structures to potential				X

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

Environmental Analysis

September 17, 2009

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.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
<b>VI. GEOLOGY/SOILS</b> (Continued)	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements affecting geology/soils, as identified above (a-e).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				
<b>VII. GREENHOUSE GAS EMISSIONS</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	
<b>Discussion:</b> <u>Global Climatic Change</u> Global Climate Change (GCC), which is now generally accepted by the scientific community to be caused by Greenhouse Gases (GHGs), is a widely discussed scientific, economic, and political issue in the United States.				

# SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

Environmental Analysis

September 17, 2009

Briefly stated, GCC is the cumulative change in the average weather of the earth that may be measured by changes in temperature, precipitation, storms, and wind. GHGs are gases that trap heat in the atmosphere. The scientific and policy communities in the State of California have collectively concluded that a significant and growing scientific body of evidence supports the need for regulating GHG emissions. Worldwide, California is estimated to be the 15<sup>th</sup> largest emitter of carbon dioxide (CARB 2008), and this fact has added to the impetus behind California's leadership in this area.

California is exercising climate change leadership in two significant efforts: one, the passage and implementation of Assembly Bill 32 (AB32), "California Global Warming Solutions Act of 2006", designed to significantly reduce existing GHG emissions in the State of California; and two, in the analysis of environmental impacts of new GHG emissions related to discretionary project approvals under the California Environmental Quality Act (CEQA). This latter effort has been particularly difficult to implement as no state or local agency has provided definitive guidance on how to address GHG emissions impacts under CEQA.

Recognizing the dearth of regulatory guidance, the San Joaquin Valley Air Pollution Control District's Governing Board adopted the Climate Change Action Plan (CCAP) in August 2008. The CCAP directed the District's Air Pollution Control Officer to develop guidance documents to assist District staff, valley businesses, land-use agencies, and other permitting agencies in addressing GHG emissions as part of the CEQA process. As presented in the draft staff report titled: *Climate Change Action Plan: Addressing Greenhouse Gas Emissions under the California Environmental Quality Act*, June, 2009, District Staff is proposing guidance for assessing the environmental significance of project specific greenhouse gas emissions. Staff plans to bring the proposed guidance before the District's Governing Board during their September, 2009 Board Hearing. As presented below, District staff has evaluated this rule development project consistent with the draft guidance and finds that the project would not have a significant cumulative impact on global climatic change.

### Potential Greenhouse Gas Emissions

As presented in the draft staff report, the District has identified six control technologies and devices that can be used to control VOC emissions from wine and brandy aging operations. The proposed rule is technology neutral, providing operators the flexibility to implement any control technology that achieves 98% control efficiency in VOC emissions. Certain control options such as condensation, refrigeration, and cryogenic systems would not produce direct GHG emissions, but would result in indirect GHG emissions because of electricity consumption. Other control options, such as thermal oxidation or biological oxidation systems would result in both direct and indirect GHG emissions because of fuel combustion or oxidative processes.

Per CEQA requirements, agencies with discretionary approval power over a project are required to evaluate project specific environmental impacts prior to project approval. The District would have discretionary approval power over projects implemented to comply with the proposed rule, via its Permits Rule (Rule 2010) and New Source Review Rule (Rule 2201). Rule 2010 requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. Rule 2201 requires that new and modified stationary sources of emissions mitigate their emissions using best available control technology (BACT) and for non-agricultural sources offsetting emissions when above certain thresholds (SB 700).

Consistent with the proposed guidance for addressing greenhouse gas impacts during the District permitting process, all proposed projects would be evaluated by the District for potential increases in greenhouse gas emissions. Projects with increased greenhouse gas emissions would be required to reduce greenhouse gas impacts to less than cumulatively significant. Project specific impacts from greenhouse gas emissions would be reduced to less than cumulatively significant by implementing Best Performance Standards (BPS) or by reducing or mitigating the increase in greenhouse gas emissions by 29% from Business as Usual.

This rule has the potential to impact only one existing brandy operation, and may impact two existing wineries. District staff concludes that at the project level, project specific impacts on global climatic change would be less than significant. Therefore, adoption of the proposed rule would have a less than significant impact on global climatic change. The District finds that there is no substantial evidence, in light of the whole record before the District, that the project may have a significant effect on the environment as identified above (a-b).

**Mitigation:** None

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

Environmental Analysis

September 17, 2009

<b>Reference:</b> Draft Rule 4695 and supporting staff report.				
<b>VIII. HAZARDS &amp; HAZARDOUS MATERIALS</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements affecting hazards and hazardous materials, as identified above (a-h).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				

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

Environmental Analysis

September 17, 2009

IX. HYDROLOGY/WATER QUALITY Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements affecting hydrology/water quality, as identified above (a-i).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				

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

Environmental Analysis

September 17, 2009

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

**Discussion:** Draft Rule 4695 is a rule development project. This project does not impose requirements affecting land use/planning as identified above (a-c).

**Mitigation:** None

**Reference:** Draft Rule 4695 and supporting staff report.

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

**Discussion:** Draft Rule 4695 is a rule development project. This project does not impose requirements affecting mineral resources, as identified above (a and b).

**Mitigation:** None

**Reference:** Draft Rule 4695 and supporting staff report.

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

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

Environmental Analysis

September 17, 2009

ambient noise levels in the project vicinity above levels existing without the project?				
<b>XII. NOISE</b> (Continued)	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. The project does not impose requirements affecting noise, as identified above (a-f).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				
<b>XIII. POPULATION/HOUSING</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements affecting population/housing, as identified above (a-c).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				



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

Environmental Analysis

September 17, 2009

<b>XIV. PUBLIC SERVICES</b> Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				X
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X
b) Cumulatively exceed official regional or local population projections?				X
c) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
d) Displace existing housing, especially affordable housing?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements affecting public services, as identified above (a-d).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				
<b>XV. RECREATION</b>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements affecting recreation, as identified above (a and b).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				



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

Environmental Analysis

September 17, 2009

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

**Discussion:** Draft Rule 4695 is a rule development project. This project does not impose requirements affecting transportation/traffic, as identified above (a-g).

**Mitigation:** None

**Reference:** Draft Rule 4695 and supporting staff report.

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

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

Environmental Analysis

September 17, 2009

project's projected demand in addition to the provider's existing commitments?				
<b>XVII. UTILITIES/SERVICE SYSTEMS</b> (Continued)	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				<b>X</b>
g) Comply with federal, state, and local statutes and regulations related to solid waste?				<b>X</b>
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements affecting utilities/service systems, as identified above (a-g).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Potentially Significant Impact</b>	<b>Potentially Significant Impact Unless Mitigated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</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>X</b>
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)?				<b>X</b>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				<b>X</b>
<b>Discussion:</b> Draft Rule 4695 is a rule development project. This project does not impose requirements that would have adverse environmental impacts as identified above (a-c).				
<b>Mitigation:</b> None				
<b>Reference:</b> Draft Rule 4695 and supporting staff report.				