



# SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

## Initial Study/Environmental Checklist

### Rule 4694 (Wine Fermentation & Storage Tanks)

**Public Review Period Begins:** October 4, 2005

**Public Review Period Ends:** November 2, 2005 at 5:00 P.M.

#### A. PROJECT BACKGROUND INFORMATION

1. **Project Title:** Rule 4694 (Wine Fermentation & Storage Tanks)
2. **Lead Agency Name and Address**

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

3. **Contact Person:**

CEQA: Mr. Hector R. Guerra  
(559) 230-5800

Rule: Daniel Barber, Ph.D  
(559) 230-5800

4. **Project Location:**

This Rule applies to any winery fermenting and/or storing wine in bulk containers located within the boundaries of the San Joaquin Valley Unified Air Pollution Control District (see Exhibit 1, Map of District boundaries).

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

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

6. **Description of Project:**

This Initial Study is based on Draft Rule 4694, dated October 11, 2005. The draft Rule is intended to reduce emissions of volatile organic compounds from the fermentation and bulk storage of wine. Annual VOC emissions from wine fermentation are estimated to range from 673 to 788 tons. Averaged over 365 days, daily emissions range from 1.8 to 2.2 tons per day. Wine fermentation is seasonal, corresponding to the grape harvest. In the SJVAB, fermentation typically occurs over a 90 to 120 period, resulting in seasonal daily averages of 7.5 to 8.8 tons per day, or 5.6 to 6.6 tons per day for the respective fermentation period.



Of the 109 wineries operating in the SJVAB in 2002, 70% of the wineries had annual permitted production volumes of less than 200,000 gallons, and 58% of the wineries had annual permitted production volumes of less than 2,000 gallons. Assuming VOC emissions resulting from wine fermentation are directly proportional to a facility's permitted production volume, in 2002, 17% of the wineries (18 facilities) accounted for 95% of the District's emissions from wine fermentation. Permitted production for those facilities ranged from 5 million to 50 million gallons of wine. Draft Rule 4694 would require the 18 largest wineries to reduce their VOC emissions from wine fermentation. The remaining wineries would be exempt from all requirements, except recordkeeping. Thus, Draft Rule 4694 will directly affect only 18 existing facilities and new larger wineries (i.e., 5,000,000 or more gallons).

Draft Rule 4694 incorporates a market-based approach that would require each winery to reduce their baseline uncontrolled fermentation emissions by 35% annually. This would equate to annual emission reductions of 224 to 262 tons, for a daily reduction of 0.61 to 0.76 tons per day. Each winery's emissions baseline would be established as a three-year average, using the previous three years red wine and white wine production records. Operators would have the flexibility to comply with the Rule using any combination of the following emission reduction measures:

- A. Install VOC control systems on their wine fermentation tanks. The Rule does not specify a technology nor does it mandate a specific capture and control efficiency for an emissions control system. The objective is to provide operators the flexibility to develop emission control strategies that are optimal for their process operations, while achieving the required overall 35% reduction in fermentation emissions.
- B. Mitigate their emissions by obtaining equivalent surplus emission reductions from alternative emissions sources. Reductions from alternative emissions sources could include VOC and NOx emissions from stationary, mobile and area sources. Alternative emissions sources may be located on the winery premises, or located offsite. Emission sources located on site would be mitigated at a ratio of 1.0 ton of emission reduction per each 1.0 ton of fermentation emissions. Emission sources located offsite, would be offset at a ratio of 1.2 ton of emission reduction for each ton of VOC emissions from wine fermentation. Before mitigating emissions from sources located offsite, each winery operator would be required to perform a risk assessment to determine if shifting the emissions to another location would result in a significant risk to local residences.
- C. Mitigate their emissions by paying an Air Quality Impact Mitigation Fee (AQIMF) that would be used by the District to obtain equivalent surplus emissions reductions having minimum reduction duration of three years in aggregate.

District staff estimates cost effectiveness of installing VOC controls on wine fermentation tanks to range from \$27,000 to \$60,000 per ton VOC reduced. The wine industry estimates cost effectiveness at about \$120,000 per ton. Rule 4694 establishes



### San Joaquin Valley Unified air Pollution Control District Boundaries





the initial mitigation fee at \$11,788 per ton, based on the District's cost estimates for obtaining emissions reductions from mobile sources.

The Rule provides operators flexibility to pursue the most cost effective strategy for either reducing or mitigating their fermentation emissions. Given the cost differential between installing VOC controls on fermentation tanks and pursuing emissions reductions elsewhere, it is unlikely that the industry will install VOC controls on wine fermentation tanks. The most likely approach for complying with Rule 4694 is operators will mitigate emissions from other emission sources, or pay an AQIMF fee.

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

Modified and new wineries may require permits from the Regional Water Quality Control Board. No other agencies have discretionary authority over this project. The United States Environmental Protection Agency must also approve the Rule.

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

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

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

Hector R. Guerra  
Senior Environmental Planner



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**B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "**Potentially Significant Impact**" 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 |   |
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DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

**X** 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 revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED 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 "potentially significant impact" or "potentially significant unless mitigated" impact 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. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: Hector R. Guerra

Title: Senior Air Quality Planner

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**D. ENVIRONMENTAL IMPACT CHECKLIST**

Explanations of all answers on the checklist are located in section E.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS</b> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X
<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:				
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				X



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Farmland, to non-agricultural use?				
<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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, 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
<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?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and				X



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
<b>V. CULTURAL RESOURCES -- Would the project:</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



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS -- Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:</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				X



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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 AND WATER QUALITY -- Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with recharge such that there would be a net deficit in aquifer volume or lower 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 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 stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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
j) Inundation by seiche, tsunami, or mudflow?				X
<b>IX. LAND USE AND PLANNING - Would the project:</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, 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
<b>X. MINERAL RESOURCES -- Would the project:</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				X



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
recovery site delineated on a local general plan, specific plan or other land use plan?				
<b>XI. NOISE B</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?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
<b>XII. POPULATION AND 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,				X



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
through extension of roads or other infrastructure)?				
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>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?				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



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Displace existing housing, especially affordable housing?				X
<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?				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>XV. TRANSPORTATION/TRAFFIC -- Would the project:</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



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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
<b>XVI. UTILITIES AND SERVICE SYSTEMS --Would the project:</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 project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local				



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
statutes and regulations related to solid waste?				X
<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?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively Considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X



## **E. ENVIRONMENTAL IMPACT CHECKLIST COMMENTS**

### **I. Aesthetics a.-d.**

There will be no significant adverse aesthetic impacts from Draft Rule 4694 (Wine Fermentation and Storage Tanks) because potentially affected sites are already developed as industrial facilities and may already have an aesthetic impact. New sites subject to the provisions of Draft Rule 4694 would incorporate any necessary equipment into the design to minimize potential aesthetic impacts. Draft Rule 4694 would not create aesthetically offensive sites visible to the public. Draft Rule 4694 would not create a new source of substantial light or glare, which would have a significant adverse effect on day or nighttime views in potentially effected sites. No significant adverse aesthetic impacts are anticipated.

### **II. Agriculture Resources a.-c.**

None of the potentially effected sites are exclusively devoted to agricultural use so there will be no direct significant adverse impact on agricultural resources by additional development of the site.

Potentially effected sites are generally zoned for commercial or industrial uses. In the event that a potentially effected site chooses to install VOC control systems on their wine fermentation tanks, the systems will occupy a maximum of 45,000 square for the largest sites (i.e., approximately 50,000,000 gallons of tank storage) and smaller areas for smaller facilities. The potentially effected site retains the option of where it will specifically install the VOC control systems, thus selecting a site devoted to agriculturally productive land will be a decision resting solely upon the potentially effected site owners/operators.

Draft Rule 4694 will not result in a substantive conversion of prime or unique farmland to non-agricultural use. As noted above, selecting a site devoted to agriculturally productive land will be a decision resting solely upon the potentially effected site owners/operators and their decision will determine the Rule's impact in conflicting with existing zoning for agricultural use, or Williamson Act contract. In the unlikely event that prime or unique farmland is converted to a non-agricultural use it will only affect approximately 18.59 total acres (18 sites multiplied by 45,000 square feet divided by 43,560 square feet [the area of a square acre]) of the San Joaquin Valley's 4.5-5,000,000 acres of agriculturally productive lands (approximately 0.0000041%-0.0000037% of agriculturally productive lands).

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### III. Air Quality a.-e.

The San Joaquin Valley Air Basin (SJVAB) is classified as an extreme ozone nonattainment area and a serious PM10 nonattainment area for the health-based air quality standards established by the federal Clean Air Act. The SJVAB is also classified as severe nonattainment for the California ozone standard and nonattainment for the California PM10 standard. The extreme ozone classification and serious PM10 classification are the worst possible categories. VOC is a precursor of both ozone and PM10. It is expected that Draft Rule 4694 will result in reductions of VOC and/or NOx air emission ranging from 0.61 to 0.76 tons per day annually, and air emissions reductions ranging from 2.5 to 2.9 tons during the wine fermentation season. Operation of certain emissions control devices, i.e. thermal oxidizers could result in increased emissions of NOx. However, the net decrease in air emissions associated with operation of an approved emissions control device will result in a positive air quality benefit. Therefore, there is no expected negative impact on air quality.

Draft Rule 4694 will not violate any air quality standard, result in a cumulatively considerable net increase in any criteria pollutant, expose sensitive receptors to substantial pollutants, or create any objectionable odors.

### IV. Biological Resources a.-f.

Implementing the provisions of Draft Rule 4694 will not have a significant adverse effect on the habitat of sensitive species, riparian areas, federally protected wetlands, or interfere with any migratory fish or wildlife species with established migratory corridors. Draft Rule 4694 will not conflict with any local policies or ordinances protecting biological resources or conflict with any Habitat Conservation Plan. No additional significant adverse impacts to biological resources are expected to result from Draft Rule 4694 because it is expected to affect only 18 existing facilities, which are located in existing industrial or commercial areas where biological resources are already disturbed.

As noted in item II Agriculture Resources, above, potentially effected sites are generally zoned for industrial uses. In the event that a potentially effected site chooses to install VOC control systems on their wine fermentation tanks, the systems will occupy a maximum of 45,000 square for the largest sites and smaller areas for smaller facilities. The potentially effected site retains the option of where it will specifically install the VOC control systems, thus selecting a site with potential impact to biological resources will be a decision resting solely upon the potentially effected site owners/operators.

Further, estimated improvements in air quality resulting from Draft Rule 4694 is expected to provide health benefits to plant and animal species as well as to human residences of the San Joaquin Valley Air Basin.

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#### V. Cultural Resources a.-d.

As previously noted, any effects from implementing Draft Rule 4694 will occur at existing potentially affected facilities generally located in industrial areas. As a result, significant adverse impacts on cultural resources including: historical resources, archaeological resources, paleontological resources, geologic features or the disturbance of any human remains is highly unlikely. Implementing the provisions of Draft Rule 4694 would not include any substantial excavation. Any new facilities subject to the Rule that are constructed in the future will go through a local agency approval and environmental review process where screening for cultural resources would be addressed.

#### VI. Geology and Soils a.-e.

Draft Rule 4694 provides an option for some owners/operators to install VOC controls on their fermentation tanks. Installation of VOC controls on existing sources could result in modifications to the existing facilities to accommodate additional control equipment. Modification of an existing site is expected to constitute the most extreme compliance strategy. There are no provisions in Draft Rule 4694 that would require significant disruption or over-covering of soil, changes in topography or surface relief features, the erosion of beach sand, or a change in existing siltation rates. Implementing the provisions of Draft Rule 4694 will not increase the exposure of people or property to geologic hazards.

#### VII. Hazards and Hazardous Materials a.-h.

Operators may elect to install and operate fermentation emissions control systems. These systems would most likely consist of ductwork used to collect fermentation emissions and transport them to an emissions control device. These are established technologies in use in other industries. Operators must comply with federal, state, and local safety and environmental regulations. Existing regulations are considered adequate to minimize significant worker exposure and potential environmental hazards.

Potentially affected existing or future facilities subject to the provisions of Draft Rule 4694 are generally located in industrial areas. Even if existing facilities are located within one-quarter mile of an existing or proposed school, implementing the provisions of Draft Rule 4694 will not result in any significant adverse impact as this Rule will ultimately result in reducing emissions from wineries. Potentially affected facilities are not located on sites included on the list of hazardous materials sites; future facilities would not likely locate on sites included on the list of hazardous material sites.

Proper training, handling techniques, and buffers will be utilized to ensure that any potential hazards or hazardous materials spills are minimized to the extent practicable.

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Potentially effected facilities are not located on a private airstrip and the existing facilities are believed to be in compliance with the applicable airport and land use plan. Implementing the provisions of Draft Rule 4694 will not interfere with an adopted emergency response/evacuation plan.

Draft Rule 4694 will not result in a significant adverse impact to hazard and hazardous materials.

#### VIII. Hydrology and Water Quality a.-j.

As noted in item II Agriculture Resources, above, potentially effected sites are generally zoned for commercial or industrial uses. In the event that a potentially affected site chooses to install VOC control systems on their wine fermentation tanks, the systems will occupy a maximum of 45,000 square for the largest sites and smaller areas for smaller facilities. The potentially affected site retains the option of where it will specifically install the VOC control systems, thus selecting a site within the 100-year flood zone will be a decision resting solely upon the potentially affected site owners/operators and the local agency issuing a building permit for construction of the equipment.

Draft Rule 4694 will not result in a significant adverse impact to hydrology nor water quality will be significantly adversely impacted by the proposed project

#### IX. Land Use and Planning a.-c.

There are no provisions in Draft Rule 4694 that would affect land use plans, policies, or regulations. It is also expected that Draft Rule 4694 will not affect infrastructure development or require changes to existing zone designations because the draft provisions primarily regulate equipment at existing facilities. Local governments determine land use and other planning considerations, and no land use or planning requirements will be altered. Therefore, present or planned land uses in the region will not be result in a significant adverse impact as a result of Draft Rule 4694.

#### X. Mineral Resources a.-b.

There are no known mineral resources on any of the 18 potentially affected sites or in the immediate vicinity of the sites. No significant adverse impacts on mineral resources are anticipated. Future sites will be evaluated for Mineral Resources impacts as part of the review process for new developments regularly undertaken by agencies with land use authority.

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XI. Noise a.-f.

If a potentially effected facility opts to implement the provisions of Draft Rule 4694, the retrofitting of existing fermentation tanks is not expected to result in significant noise impacts. The 18 affected wineries operate in industrial settings where noise levels are already high, or in agricultural areas where operational noise levels are already established and the resident human population is low. Wine production is primarily a seasonal activity and existing winery process operations typically generate a certain amount of noise. Any increase in noise associated with the installation of add-on control equipment is expected to be minor and short term. Any increase in noise associated with operation of add-on control equipment is expected to be negligible. Noise levels will remain below significant levels and no significant adverse impacts are anticipated.

XII. Population and Housing a.-c.

There are no provisions in Draft Rule 4694 that would result in the creation of any industry that would affect population growth, or directly or indirectly induce the construction of single- or multiple-family units. No population relocation or growth inducement is expected from implementation of Draft Rule 4694. No significant adverse impacts are anticipated.

XIII. Public Services a.-d.

Draft Rule 4694 does not mandate any change in winery operations, or installation and operation of any control device or system that would result in a substantial change or significant adverse impact on existing demands for public services. Draft Rule 4694 will not result in significant adverse effects on fire protection, police protection, schools, parks, or other public facilities.

XIV. Recreation a.-b.

Implementing the provisions of Draft Rule 4694 is not expected to adversely affect or change recreational facilities and resources in the District. No significant adverse aesthetic or recreation impacts are expected from implementing the provisions of Draft Rule 4694.

XV. Transportation/Traffic a.-g.

Draft Rule 4694 will not increase the number of wineries operating in the District. Further, Draft Rule 4694 will not cause a substantial increase in the number of transport trips to wineries delivering raw materials or operational supplies. The 18 existing facilities are located in existing industrial or commercial areas where deliveries are routine. Future sites will be evaluated for Transportation/Traffic impacts as part of the

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review process for new developments regularly undertaken by agencies with land use authority.

#### XVI. Utilities and Service Systems a.-g.

The provisions of Draft Rule 4694 will not result in exceedences of wastewater treatment requirements or require that new wastewater treatment facilities be built. Construction of new storm water drainage facilities will not be required. Sufficient water supplies are available to serve the project with existing resources. Waste disposal needs can be met for this project as required by the respective city, county, or other jurisdiction.

Controlling VOC emissions from wine fermentation could require installation of an emissions capture system and an emissions control device. Comments received during the rule development process indicate that winery operators would connect multiple tanks to a main ductwork that would terminate at a VOC control device. The industry states that they would clean the ductwork between every fermentation batch using a 2% KOH solution in potable water, followed by a rinse of ClO<sub>2</sub> in potable water. The wine Industry estimates that a facility producing about 50,000,000 gallons of wine annually would produce an additional 930,000 gallons of wastewater from cleaning ductwork. This constitutes about a 1% increase in annual wastewater production.

Draft Rule 4694 neither mandates control of fermentation tanks, nor dictates control system design. Operational practices associated with cleaning ductwork are discretionary and are not mandated by the rule. Therefore, implementing the provisions of Draft Rule 4694 are not expected to result in significant adverse impacts on existing water resources or the need to explore new water resources because of adopting the proposed project in the San Joaquin Valley.

There will be no substantial change to the topography of potentially effected facilities thus, no significant adverse impacts as a result of implementing Draft Rule 4694.

In the event a potentially effected facility installs VOC control systems, it may be required to comply with requirements of the Regional Water Quality Control Board (RWQCB). Site by site evaluations will determine if potentially affected sites must receive approvals from the RWQCB in the form of General Stormwater Permits for Construction and Industrial Activities, Waste Discharge Permit, or preparation of a Storm Water Pollution Prevention Plan.

#### XVII. Mandatory Findings of Significance a.-c.

This project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or



animal, or eliminate important examples of the major periods of California history or prehistory.

This project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals. Neither does this project have impacts, which are individually limited, but cumulatively considerable. This project will have no potential environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Based upon consideration of the information provided in the comments to the Environmental Checklist and other analyses performed for this project, it does not have the potential to degrade the quality of the environment or to interfere with either short-term or long-term environmental goals. There will not be any significant cumulative impacts. Finally, the project will not cause any direct or indirect substantial adverse effects on human beings.

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