

**San Joaquin Valley
Air Pollution Control District**

**Proposed Re-Adoption of Rule 4570
(Confined Animal Facilities)**

Initial Study and Negative Declaration

May 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:

JUDITH G. CASE
Supervisor, Fresno County

RONN DOMINICI
Supervisor, Madera County

HENRY JAY FORMAN, PH.D
Appointed by the Governor

MICHAEL G. NELSON
Supervisor, Merced County

WILLIAM O'BRIEN
Supervisor, Stanislaus County

LEROY ORNELLAS
Supervisor, San Joaquin County

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

RAYMOND A. WATSON
Supervisor, Kern County

J. STEVEN WORTHLEY
Supervisor, Tulare County

AIR POLLUTION CONTROL OFFICER

SEYED SADREDIN



A. PROJECT BACKGROUND INFORMATION

1. Project Title: Proposed Rule 4570 (Confined Animal Facilities)

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: Ms. Debbie Johnson (559) 230-5817

Plan Development: Ms. Lucinda Roth
(559) 230-6100

Rule Development: Mrs. Sandra Lowe-Leseth
(559) 230-6100

4. Project Location:

This rule applies to any confined animal facility 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:

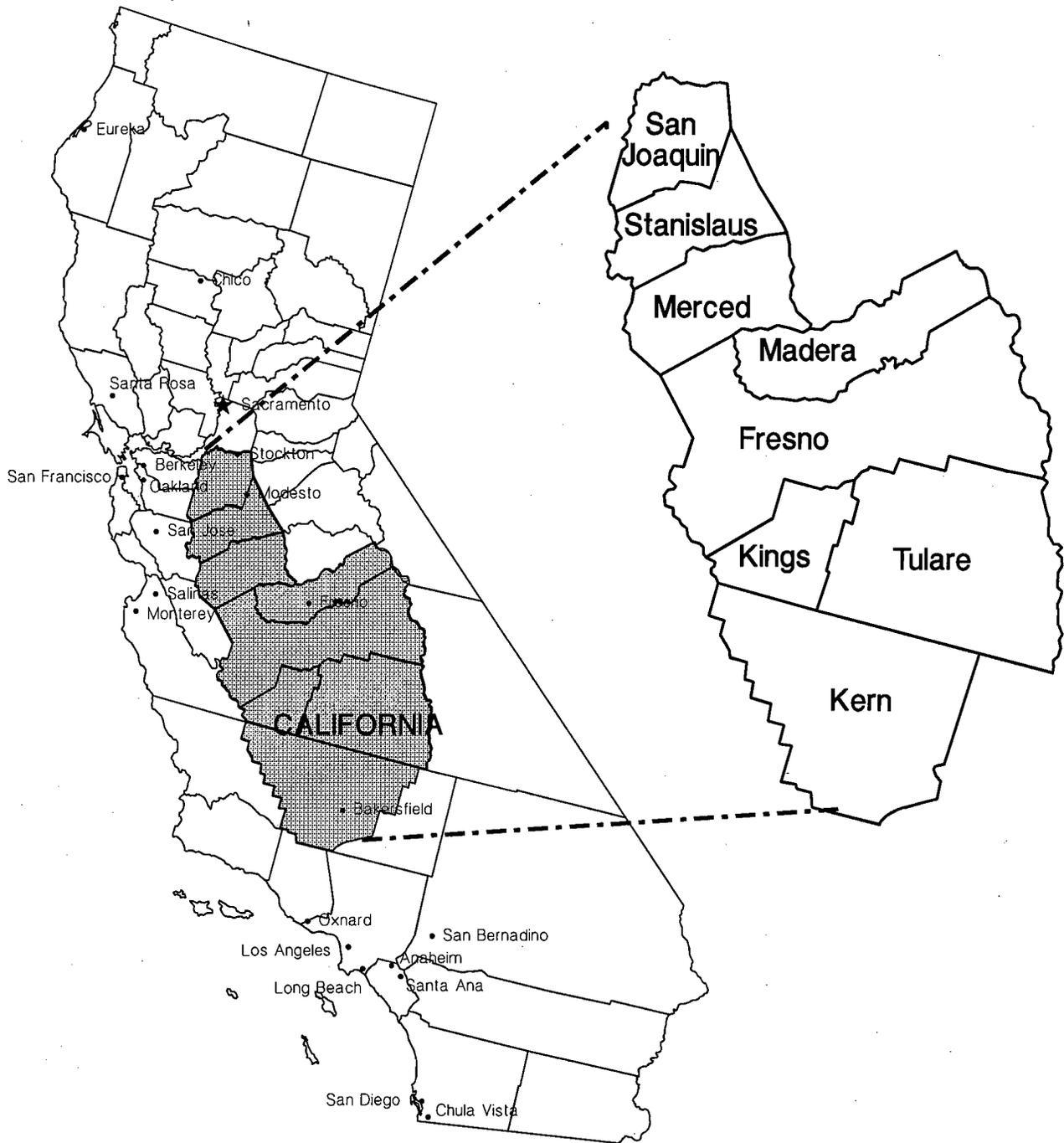
Not applicable.

7. General Plan Designation/Zoning:

Not applicable.



Exhibit 1 – Map of District Boundaries





8. Project Description:

This Project is the proposed re-adoption of San Joaquin Valley Air Pollution Control District (District) Rule 4570 (Confined Animal Facilities). This rule was originally adopted by the San Joaquin Valley Air Pollution Control District (District) Board on June 15, 2006. The District concludes that re-adoption of the rule will not have a significant environmental impact because re-adoption of the existing rule does not impose any change in current operations at facilities subject to the rule.

The project is being conducted because in July 2006, the Association of Irrigated Residents (AIR) filed a petition for writ of mandate in the Superior Court of California challenging the legality of District Rule 4570. In November 2008, the Fifth Appellate District Court upheld the trial court's decision on all issues except for one relating to the District's health impact assessment. On that issue the court found the staff report insufficient in assessing the rule's impact on public health.

Due to court actions, the Governing Board will hear the Public Health Impact report for this rule on June 18, 2009 and will then consider either readopting the rule, as written, or directing the staff to amend the rule. This analysis assumes the Board will readopt the rule, as written, with no significant changes. Should the Board direct staff to amend the rule, the CEQA analysis will be revised to address those amendments.

This Initial Study is based on Draft Rule 4570, dated March 13, 2006. The draft rule is intended to reduce emissions of volatile organic compounds (VOC) from confined animal facilities. Annual VOC emissions from confined animal facilities are estimated to be over 27,000 tons per year. Averaged over 365 days, daily emissions are over 70 tons per day. Confined animal facility emissions are temperature dependent with the highest emissions occurring during the summer when the SJVUAPCD experiences the largest number of exceedances of the Federal health based ozone standards.

Rule 4570 fulfills a control measure commitment in the 2004 Extreme Ozone Attainment Demonstration Plan, and meets the requirements of State Senate Bill (SB) 700, and the Reasonably Available Control Technology (RACT) provisions of the Federal Clean Air Act (CAA). Under SB 700, Confined Animal Facilities (CAFs) that exceed the California Air Resources Board (ARB) definition of a "large CAF" must install Best Available Retrofit Control Technology (BARCT) to reduce their VOC emissions. CAA section 182(b)(2) requires existing facilities that exceed the federal major source thresholds to implement Reasonably Available Control Technology (RACT). The RACT threshold is currently 10 tons/year in the San Joaquin Valley. For the purposes of this rule the control requirements for state BARCT and federal RACT are the same.



There were over 6,000 CAFs operating in the San Joaquin Valley Air Basin (SJVAB) in 2002. Of these facilities, the District estimates that somewhat less than half will be subject to the rule's control requirements. Other smaller CAFs will be subject only to record keeping requirements to verify their exemption from the rule. New CAFs that exceed ½ of the District's major source threshold (12.5 tons/year) from Rule 2201 are required to implement the Best Available Control Technology (BACT), which is generally more stringent than RACT and BARCT. Therefore, these large new sources will meet or exceed Rule 4570 by implementing controls required during the District's new source review permitting process.

Draft Rule 4570 incorporates a cafeteria-based approach that would require each large CAFs to reduce their baseline uncontrolled emissions by approximately 30% annually. This would equate to annual emission reductions of approximately 6,570 tons, for a daily reduction of approximately 18 tons per day. Each CAF's emissions baseline would be established by multiplying the District emission factor for each type of animal by the number of that type of animal on the facility. Operators would have the flexibility to comply with the Rule using any combination of the following emission reduction measures:

- A. Feed and silage management practices such as: using feed formulation practices; increased feed removal and cleaning practices; feed and silage storage practices; and others.
- B. Increased cleaning of the milk parlor, where applicable.
- C. Increased cleaning frequency in various areas of animal housing.
- D. Minimization of moisture in various areas of animal housing.
- E. Use of manure additives in corrals or pens.
- F. Management practices for storing manure and separated solids such as: covering dry manure piles, removing manure from the facility; use of a digester; and others.
- G. Management practices for lagoons such as: minimization of animal waste in lagoons; use of anaerobic treatment lagoons; use of a solid separator; and others.
- H. Management practices for land application of animal waste such as: land incorporate all solid manure within seventy-two (72) hours; only apply waste that has been anaerobically treated; minimize moisture content of solid manure that is land applied; and others. Design lagoons and load lagoons according to National Resource Conservation Service (NRCS) guidelines.



- I. House animals in enclosures that are vented to control devices with VOC control efficiencies of at least 80%.

The rule provides operators flexibility to pursue the most cost effective strategy for reducing their emissions. Given the cost differential between installing VOC controls on lagoons or enclosing their housing and pursuing emissions reductions elsewhere, it is unlikely that the industry will install VOC controls on lagoons or enclose housing. The most likely approach for complying with Rule 4570 is operators will mitigate emissions by feeding according to NRC guidelines; increased cleaning and removal of spilled feed; increased cleaning of animal housing and milk parlors, covering of dry manure piles; use of solid separation devices or phototrophic lagoons; and rapid land incorporation of manure.

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:

Ms. Lucinda Roth, Supervising Air Quality Specialist
Mrs. Sandra Lowe-Leseth, Air Quality Engineer



B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

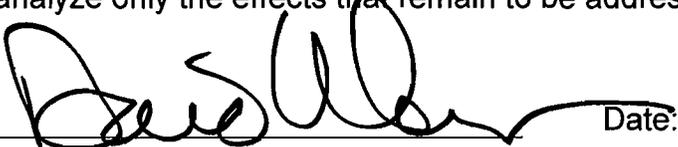
The environmental factors checked below would be potentially affected by the proposed project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated", as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input 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 | |

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 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: 4/30/09

Printed Name: David Warner Title: Director of Permit Services



D. ENVIRONMENTAL IMPACT CHECKLIST

I. AESTHETICS Would the proposal:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
a) Affect a scenic vista or scenic highway?				X
b) Have a demonstrable negative aesthetic effect?				X
c) Create light or glare?				X
Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect aesthetics, as identified above.				
<p>There will be no significant adverse aesthetic impacts from Proposed Rule 4570 (Confined Animal Facilities) because potentially affected sites are already developed as confined animal facilities and any aesthetic impact would already exist. New sites subject to the provisions of Proposed Rule 4570 would incorporate any necessary equipment into the design to minimize potential aesthetic impacts in accordance with local agency standards. Proposed Rule 4570 would not create aesthetically offensive sites visible to the public. Proposed Rule 4570 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.</p>				
Mitigation: None				
Reference: Proposed Rule 4570 and supporting staff report.				
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:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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



II. AGRICULTURE RESOURCES (Continued)				
<p>Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect aesthetics, as identified above.</p> <p>Most of the potentially affected sites are exclusively devoted to agricultural use so there will be no direct significant adverse impact. Any additional infrastructure will be related to agricultural production and in many cases is a modification of an existing structure such as a lagoon.</p> <p>In the event that a potentially affected site chooses to install VOC control systems on their confined animal facility, the systems will likely occupy a maximum of 4,000 square feet for the largest sites and smaller areas for smaller facilities. The affected site owner/operator retains the option to determine specifically where to install the VOC control systems. Options are also available for the affected site owner/operators to choose VOC control options that do not occupy any space, such as increased flushing. Therefore, selecting a site devoted to agriculturally productive land for installation of a VOC control system or use of a VOC control that will occupy space instead of a management practice will be a decision resting solely upon the potentially affected site owners/operators.</p> <p>Proposed Rule 4570 will not result in a substantive conversion of prime or unique farmland to non-agricultural use. As noted above, installing a VOC control system on a site devoted to agriculturally productive land will be a decision resting solely upon the potentially affected site owners/operators and in any case would require very small amounts of land. Since the dairy is an agricultural use, there will be no impact or conflict with existing zoning for agricultural use, or Williamson Act contract.</p>				
Mitigation: None				
Reference: Proposed Rule 4570 and supporting staff report.				

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



III. AIR QUALITY (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
<p>Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would air quality, as identified above.</p>				
<p>The San Joaquin Valley Air Basin (SJVAB) is classified as a serious ozone 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. VOC is a precursor of both ozone and to some extent PM10. It is expected that Proposed Rule 4570 will result in reductions of VOC air emissions of approximately 18 tons per day annually. The net decrease in air emissions associated with operation of an approved emissions control device or management practice will result in a positive air quality benefit.</p>				
<p>Proposed Rule 4570 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.</p>				
<p>Global Warming Impacts At this time there are no generally accepted thresholds of significance for determining the impact of greenhouse gas (GHG) emissions from an individual project on global climatic change. In the absence of a specific significance threshold, District staff evaluates the significance on a case-by case basis. Upon reviewing the mitigation measures for Proposed Rule 4570, there is one potential mitigation measures that could increase GHG emissions - the use of anaerobic treatment lagoons for liquid animal waste. The proposed rule requires operators to choose a certain number of mitigation measures from a list. Class One mitigation measures are those considered reasonably available based on technical feasibility, economic cost, and energy considerations. Use of anaerobic treatment lagoons is a Class Two mitigation measure, meaning those mitigation measures above and beyond Class One. Operators who choose this type of treatment lagoon would have the project undergo environmental review where the impact of GHG from that project is analyzed. Because the use of anaerobic treatment lagoons is not mandated by the rule in the sense that utilizing anaerobic treatment lagoons is not a Class One mitigation measure and operators have options other than treatment lagoons to reduce VOC emissions, District staff concludes that GHG emissions are not increased upon implementation of this rule and, therefore, no significant impact on GHG emissions is expected.</p>				
<p>Mitigation: None</p>				
<p>Reference: Proposed Rule 4570 and supporting staff report.</p>				
IV. BIOLOGICAL RESOURCES 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



IV. BIOLOGICAL RESOURCES (Continued)	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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

Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect biological resources, as identified above.

Implementing the provisions of Proposed Rule 4570 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. Proposed Rule 4570 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 Proposed Rule 4570 because it is expected to affect only agricultural/commercial areas where biological resources are already disturbed.

Mitigation: None

Reference: Proposed Rule 4570 and supporting staff report.

V. CULTURAL RESOURCES 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?				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



V. CULTURAL RESOURCES (Continued):	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect cultural resources, as identified above.				
Effects from implementing Proposed Rule 4570 will occur at existing potentially affected facilities generally located in agricultural/commercial 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 Proposed Rule 4570 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 in most counties an environmental review process where screening for cultural resources would be addressed.				
Mitigation: None				
Reference: Proposed Rule 4570 and supporting staff report.				
VI. GEOLOGY/SOILS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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
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



VI. GEOLOGY/SOILS (Continued)				
Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect geology or soils, as identified above.				
Proposed Rule 4570 provides an option for some owners/operators to install VOC controls on their facilities. 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. Proposed Rule 4570 contains a provision for additional scraping of drylots that could require disruption or over-covering of soil, minor changes in topography or surface relief features, or a change in existing siltation rates. Typically, scraping is needed to keep the manure pack from building up and does not cause a change to the underlying soil. Scraping drylots is a common management practice; therefore no new impacts are expected. Implementing the provisions of Proposed Rule 4570 will not increase the exposure of people of property to geologic hazards.				
Mitigation: None				
Reference: Proposed Rule 4570 and supporting staff report.				

VII. HAZARDS & HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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



VII. HAZARDS & HAZARDOUS MATERIALS (Continued)				
<p>Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect hazards or hazardous materials, as identified above.</p> <p>Owners/Operators may elect to install and operate VOC emissions control systems. These systems would most likely consist of ductwork used to collect emissions and transport them to an emissions control device. These are established technologies and employed in other industries. Owners/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.</p> <p>Proposed Rule 4570 will not result in a significant adverse impact to hazard and hazardous materials.</p> <p>Mitigation: None</p> <p>Reference: Proposed Rule 4570 and supporting staff report.</p>				

VIII. 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



VIII. HYDROLOGY/WATER QUALITY				
(Continued)				
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
<p>Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect hydrology or water quality, as identified above.</p> <p>Affected sites are zoned for agricultural uses. In the event that a potentially affected site chooses to install VOC control systems on their facilities, the systems will occupy a maximum of 4,000 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 by the site owners/operators and the local agency issuing a building permit for construction of the equipment and must comply with the regulations of the Regional Water Quality Control Board. Use of additional water for flushing or control devices on lagoons are a few of many control options available to site owners/operators. Water application to crops must be accomplished at rates that do not result in excessive nutrients impacting groundwater and surface water. The majority of the facilities recycle flush water; therefore additional flushing would not result in significant increases in water use at the facilities.</p> <p>Proposed Rule 4570 will not result in a significant adverse impact to hydrology nor will water quality be significantly adversely impacted by the proposed project.</p> <p>Mitigation: None</p> <p>Reference: Proposed Rule 4570 and supporting staff report.</p>				
IX. LAND USE/PLANNING				
Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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
<p>Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect land use or planning as identified above.</p> <p>There are no provisions in Proposed Rule 4570 that would affect land use plans, policies, or regulations. It is also expected that Proposed Rule 4570 will not affect infrastructure development or require changes to existing zone designations because the draft provisions primarily regulate 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 Proposed Rule 4570.</p> <p>Mitigation: None</p> <p>Reference: Proposed Rule 4570 and supporting staff report.</p>				



X. MINERAL RESOURCES Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect mineral resources, as identified above.

The implementation of Rule 4570 will take place at existing dairies, so there will be no new impacts on mineral resources. No significant adverse impacts on mineral resources are anticipated. Future sites subject to the rule will be evaluated for Mineral Resources impacts as part of the review process for new developments regularly undertaken by agencies with land use authority.

Mitigation: None

Reference: Proposed Rule 4570 and supporting staff report.

XI. NOISE Would the project result in:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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



XI. NOISE				
(Continued)				
Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect noise, as identified above.				
A facility selecting to implement the retrofitting provisions of Proposed Rule 4570 is not expected to result in significant noise impacts. The affected facilities operate in agricultural/commercial settings where operational noise levels are already established and the resident human population is low. Any increase in noise associated with the installation of add-on control equipment is expected to be minor. Any increase in noise associated with operation add-on control equipment is expected to be negligible. Noise levels will remain below significant levels and no significant adverse impacts are anticipated.				
Mitigation: None				
Reference: Proposed Rule 4570 and supporting staff report.				
XII. POPULATION/HOUSING				
Would the project:				
	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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
Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect population or housing, as identified above.				
There are no provisions in Proposed Rule 4570 that would result in the creation of any industry that would significantly affect population growth, or directly or indirectly induce significant construction of single- or multiple-family units. No significant population relocation or growth inducement is expected from implementation of Proposed Rule 4570. No significant adverse impacts are anticipated.				
Mitigation: None				
Reference: Proposed Rule 4570 and supporting staff report.				
XIII. PUBLIC SERVICES				
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

Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect public service, as identified above.

Proposed Rule 4570 does not mandate any change in facilities, 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. Proposed Rule 4570 will not result in significant adverse effects on fire protection, police protection, schools, parks, or other public facilities.

Mitigation: None

Reference: Proposed Rule 4570 and supporting staff report.

XIV. RECREATION	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
XIV. RECREATION (Continued)				

Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect recreation, as identified above.

Implementing the provisions of Proposed Rule 4570 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 Proposed Rule 4570.

Mitigation: None

Reference: Proposed Rule 4570 and supporting staff report.

XV. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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				X



increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result 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: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect transportation or traffic, as identified above.

Proposed Rule 4570 will not increase the number of confined animal facilities operating in the District and the amount of commodities produced at each farm will not increase. The existing facilities are located in existing agricultural/commercial areas where deliveries and commodity hauling are routine. As a result Proposed Rule 4570 will not cause a substantial increase in the number of transport trips to confined animal facilities delivering raw materials or operational supplies. Future sites will be evaluated for Transportation/Traffic impacts as part of the review process for new developments regularly undertaken by agencies with land use authority.

Mitigation: None

Reference: Proposed Rule 4570 and supporting staff report.

XVI. UTILITIES/SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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 statutes and regulations related to solid waste?				X

Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect utilities, as identified above.

The provisions of Proposed Rule 4570 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. Proposed Rule 4570 is not expected to require expansion of water supply systems. Waste disposal needs will not increase significantly as a result of meeting the requirements of the rule.

Controlling VOC emissions from CAFs could require increased flushing, however the water is typically reused, therefore, no significant net increase in water use is expected. Proposed Rule 4570 does not mandates control of waste disposal systems, nor impose control system designs. Operational practices are discretionary and are not mandated by the rule. Therefore, implementing the provisions of Proposed Rule 4570 are not expected to result in significant adverse impacts on existing water resources or the need to explore new water resources.

Facilities selecting to install VOC control systems 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, preparation of a Storm Water Pollution Prevention Plan, or other permit or plan.

Mitigation: None

Reference: Proposed Rule 4570 and supporting staff report.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Potentially Significant Impact Unless Mitigated	Less Than Significant Impact	No Impact
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



Discussion: Proposed Re-Adoption of Rule 4570 is a rule development project. The project does not impose requirements that would affect the mandatory findings of significant, as identified above.

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 Initial Study 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.

Mitigation: None

Reference: Proposed Rule 4570 and supporting staff report.