

SUBCHAPTER 4.7

POTENTIAL ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT

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4.7 POTENTIAL ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT

4.7.1 INTRODUCTION

While all the environmental topics required to be analyzed under CEQA were reviewed to determine if the proposed amendments would create significant impacts, the screening analysis concluded that the following environmental areas would not be significantly adversely affected by 2003 AQMP: aesthetics, agriculture resources, biological resources, cultural resources, energy, geology/soils, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, solid/hazardous waste and transportation/traffic. These topics were not analyzed in further detail in this environmental assessment, however, a brief discussion of each is provided below.

4.7.2 AESTHETICS

The proposed revisions to the AQMP are not expected to adversely affect scenic vistas in the district; damage scenic resources, including but not limited to trees, rock outcroppings, or historic buildings within a scenic highway; or substantially degrade the visual character of a site or its surroundings. The reason for this conclusion is that AQMP control measures typically affect industrial, institutional, or commercial facilities located in appropriately zoned areas that are not usually associated with scenic resources. Further, modifications typically occur inside the buildings at the affected facilities, or because of the nature of the business (e.g., commercial or industrial) can easily blend with the facilities with little or no noticeable effect on adjacent areas. The 2003 AQMP may have a beneficial effect on scenic resources by improving visibility as well as improving air quality.

The proposed 2003 AQMP is not expected to create additional demand for new lighting or exposed combustion that could create glare that could adversely affect day or nighttime views in any areas. As noted above, facilities affected by AQMP control measures typically make modifications in the interior of an affected facility so any new light sources would typically be inside a building or not noticeable because of the presence of existing light sources. Further, affected commercial or industrial facilities would be located in appropriately zoned areas that are not usually located next to residential areas, so new light sources, if any, would not be noticeable to residents.

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

4.7.3 AGRICULTURAL RESOURCES

AQMP control measures typically affect existing commercial or industrial facilities or establish specifications for fuels or mobile source exhaust emissions, so they are not expected to generate any new construction of buildings or other structures that would require conversion of farmland to non-agricultural use or conflict with zoning for agricultural uses or a Williamson Act contract. There are no provisions in the proposed 2003 AQMP that would affect or conflict with existing land use plans, policies, or regulations or require conversion of farmland to non-agricultural uses. Land use, including agriculture-related uses, and other planning considerations are determined by local governments and no land use or planning requirements will be altered by the proposed project. AQMP control measures, including control measures related to mobile sources, would have no direct or indirect effects on agricultural resources.

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

4.7.4 BIOLOGICAL RESOURCES

No direct or indirect impacts from implementing AQMP control measures were identified that could adversely affect plant and/or animal species in the district. The effect of implementing AQMP control measures are typically from mobile source exhaust emissions or fuel specifications or results in modifications at existing commercial or industrial facilities to control or further control emissions. Such existing commercial or industrial facilities are generally located in appropriately zoned commercial or industrial areas, which typically do not support candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Similarly, modifications at existing facilities would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with native or resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Further, since the proposed 2003 AQMP primarily regulates stationary emission sources at existing commercial or industrial facilities, it does not directly or indirectly affect land use policy that may adversely affect riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations, or identified by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Improving air quality is expected to provide health benefits to plant and animal species in the district. There are no additional control measures contained in the 2003 AQMP that would alter this determination.

As noted in the previous item, promulgating control measures in the 2003 AQMP may require modifications at existing industrial or commercial facilities to control or further control emissions at these affected facilities. Similarly, the 2003 AQMP contains control measures that establish emission standards for mobile sources or fuel specifications. As a result, the proposed project will not affect land use policies or designations. For these reasons the proposed project will not adversely affect protected wetlands as defined by

§404 of the Clean Water Act, including, but not limited to marshes, vernal pools, coastal wetlands, etc., through direct removal, filling, hydrological interruption or other means.

Implementing the proposed 2003 AQMP is not expected to affect land use plans, local policies or ordinances, or regulations protecting biological resources such as a tree preservation policy or ordinance for the reasons already given, i.e. control measures promulgated as rules or regulations primarily affect existing facilities located in appropriately zoned areas or establish emission standards for mobile sources or fuel specifications. Land use and other planning considerations are determined by local governments and no land use or planning requirements will be altered by the proposed project. Similarly, the proposed 2003 AQMP would not affect in any way habitat conservation or natural community conservation plans, agricultural resources or operations, and would not create divisions in any existing communities.

Based upon the above considerations, implementing the proposed 2003 AQMP is not expected to adversely affect biological resources and, therefore, will not be further evaluated in the Program EIR.

4.7.5 CULTURAL RESOURCES

Implementing the proposed 2003 AQMP is primarily expected to result in controlling stationary source emissions at existing commercial or industrial facilities, establish emission standards for mobile sources, or establish fuel standards. Affected facilities are typically located in appropriately zoned commercial or industrial areas that have previously been disturbed. Because potentially affected facilities are existing facilities and controlling stationary source emissions does not typically require extensive cut-and-fill activities or excavation, it is unlikely that implementing control measures in the proposed 2003 AQMP will: adversely affect historical or archaeological resources as defined in CEQA Guidelines §15064.5, destroy unique paleontological resources or unique geologic features, or disturb human remains interred outside formal cemeteries.

In a small number of cases, implementing control measures in the proposed 2003 AQMP may require minor site preparation and grading at an affected facility. Under this circumstance, it is possible that archaeological or paleontological resources could be uncovered. Even if this circumstance were to occur, significant adverse cultural resources impacts are not anticipated because there are existing laws in place that are designed to protect and mitigate potential adverse impacts to cultural resources. As with any construction activity, should archaeological resources be found during construction that results from implementing the proposed AQMP control measures, the activity would cease until a thorough archaeological assessment is conducted.

The proposed 2003 AQMP is, therefore, not anticipated to result in any construction activities or promote any programs that could have a significant adverse impact on cultural resources in the district. Consequently, this environmental topic will not be evaluated further in the Program EIR.

4.7.6 GEOLOGY AND SOILS

The proposed 2003 AQMP will not directly expose people or structures to earthquake faults, seismic shaking, seismic-related ground failure including liquefaction, landslides, mudslides or substantial soil erosion for the following reasons. When implemented as rules or regulations, AQMP control measures do not directly or indirectly result in construction of new structures. Some structural modifications, however, at existing affected facilities may occur as a result of installing control equipment or making process modifications. In any event, existing affected facilities or modifications to existing facilities would be required to comply with relevant Uniform Building Code requirements in effect at the time of initial construction or modification of a structure.

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

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

Any potentially affected facilities that are located in areas where there has been historic occurrence of liquefaction, e.g., coastal zones, or existing conditions indicate a potential for liquefaction, including expansive or unconsolidated granular soils and a high water table, may have the potential for liquefaction induced impacts at the project sites. The Uniform Building Code requirements consider liquefaction potential and establish more stringent requirements for building foundations in areas potentially subject to liquefaction. Therefore, compliance with the Uniform Building Code requirements is expected to minimize the potential impacts associated with liquefaction. The issuance of building permits from the local cities or counties will assure compliance with the Uniform Building Code requirements. Therefore, no significant impacts from liquefaction are expected and this potential impact will not be considered further.

Because facilities affected by any AQMP control measures are typically located in industrial or commercial areas, which are not typically located near known geological hazards (e.g., landslide, mudflow, seiche, tsunami or volcanic hazards), no significant adverse geological impacts are expected. Tsunamis at the ports, i.e., Port of Los Angeles and Port of Long Beach, are not expected because the ports of Long Beach and Los

Angeles are surrounded by breakwaters that protect the area from wave action. As a result, these topics will not be further evaluated in the Program EIR.

Although the proposed 2003 AQMP control measures may require modifications at existing industrial or commercial facilities, such modifications are not expected to require substantial grading or construction activities. Similarly, the proposed 2003 AQMP does not include control measures that require paving that reduce fugitive dust emissions from dirt roads or unpaved parking areas. Soil stabilization methods are required under control measure BCM-07 which would further reduce PM10 emissions from paved and unpaved roads. Soil compaction or over covering with a hard-ground cover such as asphalt or concrete pavement could contribute to surface water erosion of soils in areas adjacent to paved or other impervious surface areas. However, these potential impacts from paving of unpaved roads are not anticipated from the 2003 AQMP. The proposed project does not have the potential to substantially increase the area subject to compaction or overcovering since the subject areas would be limited in size and, typically, have already been graded or displaced in some way. Therefore, significant adverse soil erosion impacts are not anticipated from implementing the 2003 AQMP and will not be further analyzed in the Program EIR.

Septic tanks or other similar alternative waste water disposal systems are typically associated with small residential projects in remote areas. The proposed 2003 AQMP does not contain any control measures that generate construction of residential projects in remote areas. AQMP control measures typically affect existing industrial or commercial facilities that are already hooked up to appropriate sewerage facilities. Based on these considerations, the use of septic tanks or other alternative wastewater disposal systems will not be further evaluated in the Program EIR.

4.7.7 LAND USE AND PLANNING

The proposed 2003 AQMP generally is expected to impose control requirements on stationary sources at existing commercial or institutional facilities and establish emission exhaust specifications for mobile sources. As a result, the proposed 2003 AQMP does not require construction of structures for new land uses in any areas of the district and, therefore, is not expected to create divisions in any existing communities or conflict with any applicable habitat conservation or natural community conservation plan.

Any facilities affected by the proposed 2003 AQMP would still be expected to comply with, and not interfere with, any applicable land use plans, zoning ordinances, habitat conservation or natural community conservation plans. There are no provisions of the proposed project that would directly affect these plans, policies, or regulations. The SCAQMD is specifically excluded from infringing on existing city or county land use authority (California Health & Safety Code §40414). Land use and other planning considerations are determined by local governments and no present or planned land uses in the region or planning requirements will be altered by the proposed project in any way. There are existing links between population growth, land development, housing, traffic, and air quality. SCAG's Regional Comprehensive Plan accounts for these links when

designing ways to improve air quality, transportation systems, land use, compatibility and housing opportunities in the region. Land use planning is handled at the local level and contributes to development of the AQMP, growth projections for example, but the AQMP does not affect local government land use planning decisions. The proposed 2003 AQMP complements SCAG's Regional Comprehensive Plan.

During the region-wide scoping meetings held for the 2003, the SCAQMD received public testimony that control measure OFF-RD LIS-3 could affect land use planning because additional space would be needed to install charging units. The SCAQMD disagrees with this assertion for the following reasons. It is anticipated that installation of charging stations will not require substantial additional space because it would be tied into existing sources of electricity. Equipment associated with charging stations are typically not bulky as they consist primarily of charging paddles and meters as opposed to propane refueling which requires potentially large storage tanks and dispensing equipment. Further, because propane is typically stored in pressurized vessels, propane storage and dispensing facilities are subject to additional safety requirements such as the NFPA 58 Code, which specifies separation distances between storage tanks and California Fire Code Article 29, §2902, which specifies ventilation requirements.

Based on the above considerations, it is unlikely that installation of charging units will have a substantial effect on space needs or affect land use planning to a greater extent than is currently the case for propane storage and dispensing.

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

4.7.8 MINERAL RESOURCES

There are no provisions of the proposed project that would directly result in the loss of availability of a known mineral resource of value to the region and the residents of the state, or of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. The proposed 2003 AQMP is not expected to deplete non-renewable mineral resources, such as aggregate materials, metal ores, etc., at an accelerated rate or in a wasteful manner because AQMP control measures are typically not mineral resource intensive measures. Therefore, significant adverse impacts to mineral resources are not anticipated so this topic will not be further evaluated in the Program EIR.

4.7.9 NOISE

The proposed project may require existing commercial or industrial owners/operators of affected facilities to install air pollution control equipment or modify their operations to reduce stationary source emissions. Potential modifications will occur at facilities typically located in appropriately zoned industrial or commercial areas. Ambient noise levels in commercial and industrial areas are typically driven primarily by freeway and/or highway traffic in the area and any heavy-duty equipment used for materials

manufacturing or processing at nearby facilities. It is not expected that any modifications to install air pollution control equipment would substantially increase ambient [operational] noise levels in the area, either permanently or intermittently, or expose people to excessive noise levels that would be noticeable above and beyond existing ambient levels. It is not expected that affected facilities would exceed noise standards established in local general plans, noise elements, or noise ordinances currently in effect. It is also not anticipated that the proposed project will; cause an increase in groundborne vibration levels because air pollution control equipment is not typically vibration intensive equipment. Consequently, the 2003 AQMP will not directly or indirectly cause substantial noise or excessive groundborne vibration impacts. These topics, therefore, will not be further evaluated in the Program EIR.

Affected facilities would still be expected to comply, and not interfere, with any applicable airport land use plans and disclose any excessive noise levels to affected residences and workers pursuant to existing rules, regulations and requirements, such as CEQA. It is assumed that operations in these areas are subject to and in compliance with existing community noise ordinances and applicable OSHA or Cal/OSHA workplace noise reduction requirements. In addition to noise generated by current operations, noise sources in each area may include nearby freeways, truck traffic to adjacent businesses, and operational noise from adjacent businesses. As noted in the previous item, there are no components of the proposed 2003 AQMP that would substantially increase ambient noise levels, either intermittently or permanently. These topics, therefore, will not be further evaluated in the Program EIR.

4.7.10 POPULATION AND HOUSING

According to SCAG (2001)¹, population growth in the SCAG region (which includes all of the district) through 2025 is expected to result primarily from births within the region (as opposed to traditional patterns of in-migration of middle-class families throughout the nation). Most of the remainder of non-internal growth is projected to be derived from foreign migration. Consistent with SCAG's population growth projections, the proposed project is not anticipated to generate any significant effects, either directly or indirectly, on the district's population or population distribution. The proposed 2003 AQMP generally affects existing commercial or industrial facilities located in predominantly industrial or commercial urbanized areas throughout the district. It is expected that the existing labor pool within the areas surrounding any affected facilities would accommodate the labor requirements for any modifications at affected facilities. In addition, it is not expected that affected facilities will be required to hire additional personnel to operate and maintain new control equipment on site because air pollution control equipment is typically not labor intensive equipment. In the event that new employees are hired, it is expected that the existing local labor pool in the district can accommodate any increase in demand for workers that might occur as a result of adopting

¹ Southern California Association of Governments. 2001. Final Program Environmental Impact Report – 2001 Regional Transportation Plan Update

the proposed 2003 AQMP. As such, adopting the proposed 2003 AQMP is not expected to result in changes in population densities or induce significant growth in population.

Because of the region's available workforce, history of mobility and existing patterns whereby individuals do not typically live close to their workplaces, any demand for new employees can be accommodated from the local region so no substantial population displacement is expected. Therefore, construction of replacement housing elsewhere in the district is not anticipated.

4.7.11 PUBLIC SERVICES

There is no potential for significant adverse public service impacts as a result of adopting the proposed 2003 AQMP. The 1997/1999 AQMP EIR analyzed potential adverse impacts to public services as a result of implementing AQMP control measures and concluded that existing resources at services such as fire departments, police departments and local governments would not be significantly adversely affected as a result of implementing AQMP control measures. The proposed project would not result in the need for new or physically altered government facilities in order to maintain acceptable service ratios, response times or other performance objectives.

Adopting the proposed 2003 AQMP rule would not induce population growth or alter the distribution of existing population. Thus, implementing AQMP control measures would not increase or otherwise alter the demand for schools and parks in the district. No significant adverse impacts to schools or parks are foreseen as a result of adopting the proposed 2003 AQMP.

Based upon the above information, adopting the proposed 2003 AQMP is not expected to create significant adverse public service impacts, therefore, this topic will not be further evaluated in the Program EIR.

4.7.12 RECREATION

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

4.7.13 TRANSPORTATION AND TRAFFIC

Adopting the proposed 2003 AQMP is not expected to substantially increase vehicle trips or vehicle miles traveled in the district. Included as part of the proposed 2003 AQMP are SCAG's transportation and related control measures. These transportation control measures include strategies to enhance mobility by reducing congestion through transportation infrastructure improvements, mass transit improvements, increasing telecommunications products and services, enhanced bicycle and pedestrian facilities, etc. Specific strategies that serve to reduce vehicle trips and vehicle miles traveled, such as strategies resulting in greater reliance on mass transit, ridesharing, telecommunications, etc., are expected to result in reducing traffic congestion. Although population in the district will continue to increase, implementing the transportation control measures (in conjunction with the Regional Transportation Plan) will ultimately result in greater percentages of the population using transportation modes other than single occupant vehicles. As a result, relative to population growth, existing traffic loads and the level of service designation for intersections district-wide would not be expected to decline at current rates, but could possibly improve to a certain extent. Therefore, implementing the AQMP could ultimately provide transportation improvements and congestion reduction benefits.

Adopting the proposed 2003 AQMP is not expected to result in inadequate parking at any affected facilities in the district. The reason for this conclusion is that, to the extent that transportation and related control measures reduce or limit the growth in daily vehicle trips, there could be a slight reduction in current or future demand for parking compared to existing levels of parking demand.

Neither air traffic nor air traffic patterns are expected to be directly or indirectly affected by adopting the proposed 2003 AQMP. Controlling emissions at existing commercial or industrial facilities and establishing mobile source exhaust and fuel specifications do not require constructing any structures that could impede air traffic patterns in any way.

It is not expected that adopting the proposed 2003 AQMP will directly or indirectly increase roadway design hazards or incompatible risks. To the extent that implementing components of the transportation control measure and related measures further develop roadway infrastructure, it is expected that there would ultimately be a reduction in roadway hazards or incompatible risks as part of any roadway infrastructure improvements.

Controlling emissions at existing commercial or industrial facilities and establishing mobile source exhaust and fuel specifications are not expected to affect in any way emergency access routes at any affected commercial or industrial facilities. The reason for this conclusion is that controlling emissions (from stationary sources in particular) is not expected to require construction of any structures that might obstruct emergency access routes at any affected facilities.

Adopting the proposed 2003 AQMP will not conflict with adopted policies, plans or programs supporting alternative transportation programs. In fact, the transportation and related control measures would specifically encourage and provide incentives for implementing alternative transportation programs and strategies.

During the region-wide scoping meetings held for the 2003, the SCAQMD received public testimony that control measure OFF-RD LIS-3 could result in an increase in vehicle miles traveled due to operators of facilities using affect forklifts refusing to replace existing equipment with future compliant equipment, thereby moving out of the district. The SCAQMD disagrees with assertion and believes it is speculative to assume at this time that there will be an increase in vehicle miles traveled. There are a number of factors that influence such an important and disruptive business decision as relocating an entire business to another location. Further, because the exact nature of the final regulation is currently unknown, there may be other options available to affected facilities that will not result in relocating the facility.

Adopting the proposed 2003 AQMP is not expected to generate any significant adverse impacts to transportation or traffic systems, so this topic will not be further evaluated in the Program EIR.