

# **Amendment of Flammability Regulations**

## **California Environmental Quality Act Initial Study and Proposed Negative Declaration**

**State of California Department of Consumer Affairs**

**Prepared By  
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**July 11, 2018**

# NEGATIVE DECLARATION

Project: Amendment of Flammability Regulations

Lead Agency: Bureau of Electronic & Appliance Repair Home Furnishings, and Thermal Insulation (BEARHFTI)

## PROJECT DESCRIPTION

This Negative Declaration (ND), supported by the attached Initial Study (Study), evaluates the environmental effects of the proposed amendment to flammability regulations. These proposed changes<sup>1</sup> will align flammability standards in publicly occupied spaces with those of private residences. The updated bulletin will have statewide application. BEARHFTI prepared the proposed regulatory change pursuant to and in accordance with Administrative Procedure Act and California Business and Professions Code sections 19034, 19034.5, and 19161.

Currently, furniture intended for use in private residences is required to meet the standards outlined in Technical Bulletin (TB) 117-2013, while furniture intended for use in publicly occupied spaces must meet the standards outlined in TB 133.<sup>2</sup> The proposed amendment will establish a uniform standard and require furniture, regardless of its intended use, to meet the flammability standard as outlined in TB 117-2013.

BEARHFTI is responsible for establishing upholstered furniture flammability standards and providing exemptions for certain items of upholstered furniture that are deemed to not pose a serious fire hazard.<sup>3</sup> BEARHFTI is the lead agency for this project as defined by the California Environmental Quality Act (CEQA) and prepared this Study and ND. The Study and ND reflect the independent judgment and analysis of BEARHFTI.

## FINDINGS

BEARHFTI prepared the Study, attached to this ND, to assess the project's potential effects on the environment and the significance of those effects. Based on the information and analysis in the Study, BEARHFTI determined, and therefore finds, that the proposed project will not have any significant effects on the environment. This conclusion is supported by the following determinations:

- The proposed project will have no impact related to: aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality, land use

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<sup>1</sup> Available at: [http://www.bearhfti.ca.gov/bureau\\_activities/regulatory\\_changes.shtml](http://www.bearhfti.ca.gov/bureau_activities/regulatory_changes.shtml).

<sup>2</sup> Available at: <http://www.bearhfti.ca.gov/industry/tb133.pdf>.

<sup>3</sup> California Business and Professions Code sections 19161 and 19161.5

planning, mineral resources, noise, population and housing, public services, recreation, transportation, and traffic.

- The proposed project could have a less-than-significant impact on utilities and service systems. These effects relate to possible minor changes in overall consumer behavior. In a desire to achieve a “flame retardant free” space, a small portion of businesses that currently have furniture that contains flame retardants may choose to dispose of furniture earlier than usual in an attempt to remove flame retardants from the location. While unlikely, this could result in an increase in landfill waste and stressing local resources dealing with solid waste disposal.
- It is possible that the proposed project could have a beneficial effect in relation to hazards and hazardous chemicals. Changing the flammability standard of furniture intended for publicly occupied spaces will make it easier to meet the standard without the addition of flame retardant chemicals. This ability, coupled with public sentiment, could result in a decrease in the use of these chemicals. The decreased presence of flame retardants will have a correlating effect of decreased exposure for the public.

## RECORDS OF PROCEEDINGS

Website Access: Materials regarding this project can be found at [http://www.bearhfti.ca.gov/bureau\\_activities/regulatory\\_changes.shtml](http://www.bearhfti.ca.gov/bureau_activities/regulatory_changes.shtml).

To view copyrighted materials that are referenced, you must visit BEARHFTI headquarters. A physical copy can be viewed at this location upon request. Duplicates of this document, however, are not permitted.

### Custodian of Records:

Bureau of Electronic & Appliance Repair Home Furnishings, and Thermal Insulation (BEARHFTI)  
4244 South Market Court, Suite D  
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Questions or comments regarding this ND and Study may be addressed to:

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After receiving and considering comments from the general public and reviewing agencies, BEARHFTI may take one of the following proposed actions: (1) adopt the ND and approve the proposed project; (2) undertake additional environmental studies; (3) approve the project with mitigation measures, or (4) disapprove the project.

## LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	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.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

<b>Signature:</b>	<b>Date:</b>
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<b>Printed Name:</b>	<b>For:</b>
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## ACRONYMS AND ABBREVIATIONS

AADT	Average Annual Daily Traffic
AB	California State Assembly Bill
ARB	The California Air Resources Board
BEARHFTI	The Bureau of Electronic & Appliance Repair Home Furnishings & Thermal Insulation
CalRecycle	California Department of Resources Recycling and Recovery
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CO	Carbon Monoxide
CPSC	Consumer Products Safety Commission
CPUC	California Public Utilities Commission
DWR	California Department of Water Resources
EIR	Environmental Impact Report
FMMP	Farmland Mapping and Monitoring Program
GHGs	Greenhouse Gasses
Study	Initial Study
LOS	Level of Service
ND	Negative Declaration
NO2	Nitrous Dioxide
PM2.5	Particulate Matter Less Than 2.5 Microns in Diameter
PM10	Particulate Matter Less Than 10 Microns in Diameter
RWQCBs	Regional Water Quality Control Boards
SB	California State Senate Bill
SO2	Sulfur Dioxide
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
TB 117	Technical Bulletin 117
TB 117-2113	Technical Bulletin 117-2013
TB 133	Technical Bulletin 133
U.S. EPA	United States Environmental Protection Agency
USBR	United States Bureau of Reclamation
V/C	Volume to Capacity Ratio

## CHAPTER 1: INTRODUCTION

BEARHFTI prepared this Study to evaluate the potential environmental effects of adopting amendments to flammability regulations regarding publicly occupied spaces. The proposed amendments are collectively referred to in this document as the “proposed project” or “project”

This document has been prepared in accordance with the California Environmental Quality Act (CEQA)<sup>4</sup> and CEQA Guidelines promulgated by the California Natural Resources Agency.<sup>5</sup> Pursuant to CEQA Guidelines, a Study is required to be prepared by a lead agency to determine if a project may have a significant effect on the environment.<sup>6</sup> In addition, the purposes of the Study is to provide the lead agency with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or ND, and or enable the lead agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for an ND.

In accordance with CEQA Guidelines, Title 14 CCR § 15070:

“[a] public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

- (a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- (b) The initial study identifies potentially significant effects, but:
  - (1) Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
  - (2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.”

In these circumstances, the lead agency prepares a written statement describing its reasons for concluding that the proposed project would not have a significant effect on

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<sup>4</sup> California Public Resources Code sections 21000, et seq.

<sup>5</sup> Title 14, California Code of Regulations (“CCR”) sections 15000, et seq.

<sup>6</sup> 14 CCR section 15063 (a)



the environment and, therefore, does not require the preparation of an EIR). By contrast, an EIR is required when the project may have a significant environmental impact that cannot clearly be reduced to a less-than-significant effect by adoption of mitigation measures or by revisions in the project design.

## **Purpose**

The purpose of this document is to present agency decision-makers and the general public with information regarding the environmental consequences of implementing the proposed project. An Study is required in support of an ND and is attached to the ND. This disclosure document is being made available to the public for review and comment. The ND and Study are available for a 30-day public review.

Under CEQA, the lead agency is the public agency with primary responsibility over approval of the proposed project. BEARHFTI is the lead agency for the proposed project and has prepared this analysis to comply with CEQA requirements.

Public comments should be addressed to:

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After comments are received from the public and reviewing agencies, BEARHFTI may: (1) adopt the ND and approve the proposed project; (2) undertake additional environmental studies; (3) approve the project with mitigation measures; or (3) disapprove the project.

## **Summary of Findings**

As described in the environmental checklist and supporting narrative (Chapter 3), the proposed project would not result in significant effects to the environment. No mitigation measures would be required as a result of this environmental analysis. This Study concludes that an ND is the appropriate document for compliance with CEQA.

Chapter 3 of this document contains the analysis and discussion of potential environmental impacts of the proposed project. Based on the issues evaluated in that chapter, it is determined that the proposed project would have no environmental impact related to the following issue areas:

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gases
- Hydrology and Water Quality
- Geology and Soils
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Traffic and Transportation

Environmental impacts of the proposed project would be less than significant for the following issue areas:

- Utilities and Service Systems

BEARHFTI also determined that beneficial effects may occur under certain issue areas. A beneficial effect would involve an improvement in environmental conditions compared to the existing setting. The following issue areas may experience beneficial effects as a result of the proposed project:

- Hazards and Hazardous Materials

### **Environmental Comments During Regulation Development**

It should also be noted that throughout wide public participation on the development of this proposed project, no stakeholder identified any environmental concerns during the pre-promulgation workshops or meetings.<sup>7</sup>

### **Additional Permitting or Approvals**

The proposed project must also be reviewed and approved by the State Fire Marshal, pursuant California Government Code section 11359. The State Fire Marshal will review and comment on this project as a standard part of the rulemaking process.

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<sup>7</sup> See: *Gentry v. City of Murrieta* (2011) 36 Cal.App.4th 1359, 1379 [citing 14 CCR §15704(b).] A Negative Declaration —may be based on the initial study “together with any comments received during the public review process.”

## CHAPTER 2: PROJECT DESCRIPTION

BEARHFTI, a constituent agency within the California Department of Consumer Affairs, is required to adopt rules and regulations necessary for the administration of the Home Furnishings and Thermal Insulation Act (Act).<sup>8</sup> Among other responsibilities, the Act requires BEARHFTI to protect consumers from the fire safety hazards associated with residential furniture products offered for sale in California, regardless of their place of origin.

The purpose of this project is to align the regulatory language with the new general standard for upholstered furniture set forth in Technical Bulletin (TB) 117-2013. This amendment is needed to remove the reliance on the outdated TB 133 standard for furniture in public occupancies.

In addition, in September 2017 after an extensive public hearing and presentation of evidence, the Consumer Product Safety Commission (Commission) issued consumer protection guidance in the Federal Register regarding the public's exposure to non-polymeric organohalogen flame retardants (OFRs). These flame retardants are typically added to foams, textiles, and polymers during or after production of upholstered furniture. Organohalogen flame retardants are an additive, non-reactive component that are not chemically bound to foam, textiles, and polymers. The OFRs may be released from the product through degradation of the material that releases dust particles into the air. This release leads to the exposure to these chemicals and the associated health risks. The Commission voted to initiate rulemaking under the Federal Hazardous Substances Act and convene a Chronic Hazard Advisory Panel to further study the effects of OFRs (as a class of chemicals) on consumer health. In the interim, the Commission noted they have "serious concerns regarding the potential toxicity of OFRs, and the risks of exposure, particularly of vulnerable populations, to OFRs," and requests that manufacturers of children's products, furniture, mattresses, and electronics casings eliminate the use of such chemicals in these products.

Based on the Commission's findings and the existence of California's TB 117-2013 general upholstered furniture standard, BEARHFTI finds the continued use of the obsolete TB 133 standard unnecessary, and not in the public interest due to the risks associated with exposure to added flame retardants.

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<sup>8</sup> California Business and Professions Code sections 9810 and 19031.

## **Background**

Since 1975, BEARHFTI has developed several flammability standards, in the form of Technical Bulletins. These performance-based standards do not prescribe the use of flame-retardant chemicals, manufacturing methods, or specific materials to meet the standards. Rather, BEARHFTI encourages the industry to use innovative solutions and products to achieve flame resistance without compromising the environment. Manufacturers must strictly adhere to state and federal laws governing the manufacture and sale of upholstered furniture and bedding products.

TB 133 was developed and adopted by BEARHFTI in January 1991 in response to requests BEARHFTI received from fire departments, interior designers, architects, fire safety officials, and advocates asking for a fire performance standard for furniture. The intent of this test procedure was to test seating furniture for use in occupancies that are identified as, or considered to be, public occupancies. Such facilities might include, but are not limited to, jails, prisons, nursing care homes, health care facilities, public auditoriums, hotels, and motels.

In June 2013, BEARHFTI adopted TB 117-2013, the current general standard for upholstered furniture in California, by revising the original, outdated TB 117 standard from 1975. The intent of TB 117 and TB 117-2013 was to require manufacturers to produce upholstered furniture that is safer from hazards associated with smoldering ignition. TB 117-2013 addresses both home and public occupancies and provides methods for smolder resistance of cover fabrics, barrier materials, resilient filling materials, and decking materials for use in upholstered furniture. In comparison, TB 133 is the older, outdated standard that specifically addresses certain types of furniture for public occupancies.

## **Current Regulation**

TB 133 is no longer commonly used and is obsolete in most areas of the state. There is an overlap between the TB 117-2013 standard and the TB 133 standard, which causes confusion within the furniture industry. In addition, added organohalogen flame retardants(OFRs), a common way to meet the TB 133 standard, present significant health risks to consumers, as established by overwhelming scientific research. The combination of confusion between the standards and the added health risks to consumers shows a clear need for a change to the regulatory language. By aligning the regulatory language with the TB 117-2013 standard, both problems are addressed.

## **Project Objectives**

The specific purpose for the proposed project is to align the regulatory language with the new general standard for upholstered furniture set forth in TB 117-2013. This amendment is needed to remove the reliance on the outdated TB 133 standard for furniture in public occupancies.

In addition, in September 2017 after an extensive public hearing and presentation of evidence, the Consumer Product Safety Commission (Commission) issued consumer protection guidance in the Federal Register regarding the public's exposure to OFRs. These flame retardants are typically added to foams, textiles, and polymers during or after production of upholstered furniture. OFRs are an additive, non-reactive component that are not chemically bound to foam, textiles, and polymers. The OFRs may be released from the product through degradation of the material that releases dust particles into the air. This release leads to the exposure to these chemicals and the associated health risks. The Commission voted to initiate rulemaking under the Federal Hazardous Substances Act and convene a Chronic Hazard Advisory Panel to further study the effects of OFRs (as a class of chemicals) on consumer health. In the interim, the Commission noted they have "serious concerns regarding the potential toxicity of OFRs, and the risks of exposure, particularly of vulnerable populations, to OFRs," and requests that manufacturers of children's products, furniture, mattresses, and electronics casings eliminate the use of such chemicals in these products.

Based on the Commission's findings and the existence of California's TB 117-2013 general upholstered furniture standard, the Bureau finds the continued use of the TB 133 standard unnecessary, and not in the public interest due to the risks associated with exposure to added flame retardants.

### **Project Location**

The scope of this project is statewide in California. Therefore, any piece of upholstered furniture sold in this state, regardless of its place of manufacturing, must comply with the TB 117-2013 flammability standard.

### **Project Description**

Through this proposed project, BEARHFTI seeks to remove the requirement that furniture intended for use in publicly occupied spaces is required to meet the test requirements set forth in TB 133. By amending sections 1374 and 1374.3 of the California Code of Regulations, TB 117-2013 becomes the sole standard for furniture flammability in the State of California. This single standard will remove the confusion created in the industry created by overlapping regulations and provide for the safety of Californians from both fire and chemical exposure hazards.

### **Evaluation of Potential Environmental Impacts**

BEARHFTI's Study follows. Based on this Study, BEARHFTI has concluded that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.

## Chapter 3: Environmental Checklist

### A. Aesthetics

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

Aesthetic resources are generally defined as both the natural and built features of the landscape that contribute to the public's experience and aesthetic or scenic appreciation of the environment. Depending on the extent to which a project's presence would alter the perceived visual character and quality of the environment, aesthetic impacts may occur.

#### Discussion

**No Impact.** The proposed project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project, so no changes to the existing visual character of communities would occur. The proposed project would have **no impact** on aesthetics.

## B. Agriculture and Forest Resources

**AGRICULTURE AND FOREST 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

California is the nation's top agricultural producer, but has experienced significant farmland loss as a result of urbanization. Agricultural land conservation is a priority of many local governments in the state. Farmland is classified by the California Department of Conservation according to its ability to support crops or livestock. The most commonly used system for classifying agriculture in California is the Farmland Mapping and Monitoring Program (FMMP). In addition, The California Land Conservation Act of 1965, commonly known as the Williamson Act, provides incentives to property owners, in the form of property tax reductions to keep their lands in active agricultural production.

California is also home to extensive forest land and is an important producer of timber. Timber production land must be balanced with forest conservation, which has caused forest and timber resources to be limited.

### Discussion

**No Impact.** The proposed project would not authorize any specific land use or site-specific uses. The project would not result in conversion of land from agricultural or forest to other uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be

constructed as a result of the proposed project, so there would be no risk of affecting agricultural or forest resources. The proposed project would have **no impact** on agricultural or forest resources.



### C. Air Quality

**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	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Air quality within California is regulated by the United States Environmental Protection Agency (EPA), California Air Resources Board (ARB), and by local air quality management districts or air pollution control districts. Air quality outside of California is regulated by respective state environmental quality agencies and the EPA.

Concentrations of several air pollutants—ozone, carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), particulate matter less than 10 microns in diameter (PM<sub>10</sub>), particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), and lead—indicate the quality of ambient air and are therefore the premise of air quality regulations. Because these pollutants are the most prevalent air pollutants known to be harmful to human health, they are commonly referred to as “criteria air pollutants.” Their effects on human health have been studied in depth, and their criteria for affecting health have been documented. Acceptable levels of exposure to criteria air pollutants have been determined and ambient standards have been established for them.

Concentrations of these pollutants are monitored throughout the U.S. and monitoring data is used to designate areas according to their attainment status of ambient air quality standards. When an area is designated “nonattainment” for an ambient air quality standard, air quality planning efforts are initiated to demonstrate how the area intends to reduce emissions and achieve attainment.

Concentrations of toxic air contaminants (TACs) are also used to indicate the quality of ambient air. A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or in serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations.

Odors are generally regarded as an annoyance rather than a health hazard. However, manifestations of a person’s reaction to foul odors can range from psychological (e.g.,

irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the presence of sensitive receptors. Although offensive odors rarely cause any physical harm, they still can be very unpleasant, leading to considerable distress and often generating citizen complaints to local governments and regulatory agencies.

#### Discussion

**No Impact.** The proposed project does not conflict with or violate an existing or projected air quality plan. The project will not result in a cumulatively considerable net increase of any criteria air pollutant. The project will not cause a substantial increase in TACs. The project will not create objectionable odors for a substantial number of people. Therefore, the proposed project would have **no impact** on air quality.

## D. Biological Resources

BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Has 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

California is one of the most biologically diverse areas in the world. Its varied topography and climate have given rise to a remarkable diversity of habitats and a correspondingly diverse array of both plant and animal species. Biological resources in California are regulated and protected by a wide variety of federal, State, and local laws.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project, so there would be no risk of affecting aquatic features or natural habitats. There would be **no impact** on biological resources.

## E. Cultural Resources

CULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Cultural resources include archaeological sites of prehistoric or historic origin, built or architectural resources older than 50 years, traditional or ethnographic resources, and fossil deposits of paleontological importance. All areas within California have the potential for yielding as yet undiscovered archaeological and paleontological resources and undocumented human remains not interred in cemeteries or marked formal burials.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project, so there would be no risk of affecting historic, archaeological, paleontological, or cultural resources. There would be **no impact** on cultural resources.

## F. Geology and Soils

GEOLOGY AND SOILS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

California has a diverse, complex and seismically active geology that includes a vast array of landforms. Seismic activity in California is still ongoing, and can present a hazard to people and property. Risks are greater in fault zones. Soils are fundamental and largely nonrenewable resources that are the basis for high level sustained yields of agricultural commodities, forest products, and provide support to the wide variety of ecological communities throughout the State.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project, so there would be no risk of affecting geologic resources. In addition, the project would not involve the siting of new people or structures, so there would be no potential for risk associated with geologic hazards. There would be **no impact** on geologic resources or soils.

## G. Greenhouse Gases

Greenhouse Gas Emissions. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Certain gases in the earth’s atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth’s surface temperature. GHGs are responsible for “trapping” solar radiation in the earth’s atmosphere, known as the greenhouse effect. Major GHGs contributing to the greenhouse effect are carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Human caused emissions of these GHGs in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of the earth’s climate, known as global climate change or global warming. It is extremely unlikely that global climate change of the past 50 years can be explained without the contribution from human activities.<sup>9</sup> By enactment of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, and Senate Bill (SB) 97, regarding greenhouse gas emissions, the state of California has acknowledged that the effects of GHG emissions cause adverse environmental impacts. AB 32 mandates that emissions of GHGs must be capped at 1990 levels by the year 2020.<sup>10</sup>

Emissions of GHGs have the potential to adversely affect the environment because such emissions contribute, on a cumulative basis, to global climate change. Although the emissions of one single project will not cause global climate change, GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project, so there would be no risk of increasing levels of GHG emissions. The project would not conflict with any known state plan to reduce the emission of GHGs. There would be **no impact** on greenhouse gas emissions.

<sup>9</sup> Intergovernmental Panel on Climate Change [IPCC] 2007:86

<sup>10</sup> California Health and Safety Code section 38530 requires the ARB to monitor and enforce compliance of GHG emissions through the promulgation of regulations.

## H. Hazards and Hazardous Materials

HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Hazardous materials are substances with physical and chemical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous materials are grouped into four categories based on their characteristics: toxic (causes human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), and reactive (causes explosions or generates toxic gases). A hazardous waste is any hazardous material that is finished with its intended use and discarded.

This may include items such as spent fuels, industrial solvents and chemicals, process water, and other spent materials (i.e., some types of batteries and fuel cells).

Extensive scientific research and data over recent years has demonstrated the risk of exposure to flame retardant chemicals. In addition, studies have shown that California residents have higher levels of flame retardants in their bodies compared with residents of other states. Furniture flammability regulations are thought to contribute to these exposures.

## Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project, so there would be no risk of increasing exposure to hazardous materials. The project does not interfere with emergency response plans. The proposed project does not present a significant risk to those living adjacent to wildlands.

While this project does not mandate the elimination of flame retardant chemicals, it does make it easier for manufacturers to produce compliant products without the use of flame retardants. Over time, this project, coupled with consumer sentiment, may reduce the number of publicly occupied spaces, such as schools and airports, with furniture that contain fire retardants, resulting in the potential beneficial impact of a decrease of exposure to these hazardous chemicals.



## I. Hydrology and Water Quality

HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Both groundwater and surface water are used extensively in California for agricultural, municipal, and industrial water supplies. The water quality of surface waters and groundwater varies throughout California. Potential surface sources of water quality impairments include point sources (direct discharges to water bodies) and dispersed non-point sources (e.g., storm water runoff). Continuous point source discharges such as domestic wastewater treatment plants can be a source of elevated levels of organic carbon, nutrients (i.e., nitrogen and phosphorus), salinity, or trace metals and organic compounds relative to natural background water concentrations. Potential domestic wastewater discharges of pharmaceutical and other personal care products have been identified as potentially contributing adverse long-term toxic effects to aquatic organisms. Urban storm water runoff from residential, commercial, and industrial land uses can mobilize and convey trash, oils, grease, trace metals (e.g., copper and zinc) to drainage systems and natural receiving water bodies. Storm water runoff from residential and agricultural areas can also contain sediment, pesticides, herbicides, nutrients (e.g., fertilizers), and pathogens (e.g., bacteria and viruses from fecal wastes of pets and livestock). Groundwater quality may be adversely affected by all of the sources contributing to surface water impairment discussed above, particularly in

alluvial aquifers that are recharged directly through, by infiltration and percolation of surface water. Direct inputs of wastes to groundwater include sub-surface sources such as inadequately contained solid waste landfills, failing residential and commercial septic system leach fields, and leaking underground storage tanks that contain fuels, oils, or other industrial chemicals.

#### Discussion

**No Impact.** The project would not authorize any specific land use or site specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project. Program products would be handled within the capacity of existing facilities, which are connected to the existing water distribution system. There would be **no impact** associated with water quality, water supply, or drainage patterns.

In addition, the proposed project would not include construction of any housing or structures. Therefore, no housing would be placed within a flood zone as a result of this project, and no impeded or redirected flows would occur. The project would not expose people or structures to risks involving flooding, seiche, tsunami, or mudflow. **No water related impacts** would occur.

## J. Land Use and Planning

LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Local governments possess the basic legal authority to control land use, which is part of the police powers to protect community health, safety, and welfare conferred to state governments under the U. S. Constitution and, in turn, delegated by the state to local governments.

Zoning is a land use tool used by governments to separate land uses that are considered to be incompatible due to the nature of activities that are often associated with the respective land uses. Existing permanent household hazardous waste collection facilities and recycling facilities would be sited in areas that would be zoned for industrial and/or commercial uses. Existing retail collection points would be zoned for commercial uses.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project; therefore, no changes in land use would occur. There would be **no impact** to land uses.

## K. Mineral Resources

LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Mineral resources are all the physical materials that are extracted from the earth for use. Mineral reserves are known deposits of minerals that can be legally mined economically using existing technology.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project, and no mineral resources are required for this project, so there would be no risk of affecting mineral resources. There would be **no impacts** to mineral resources.

## L. Noise

NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing conditions are governed by the presence of noise sensitive receptors, the location and type of noise sources, and overall ambient levels. Noise sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where a quiet setting is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, schools, historic sites, cemeteries, and recreation areas are also generally considered sensitive to increases in exterior noise levels. Places of worship and transit lodging, and other places where low interior noise levels are essential, are also considered noise sensitive. Those noted above are also considered vibration sensitive land uses in addition to commercial and industrial buildings where vibration would interfere with operations within the building, including levels that may be well below those associated with human annoyance.

### Discussion

**No Impact.** The project would not authorize any specific land use or site specific uses, and would not involve the siting of sensitive receptors. The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project; therefore, the project would not result in exposure to additional noise. **No noise-related impact** would occur.

## M. Population and Housing

POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Population is projected by the California Department of Finance. Population and housing is addressed at the municipal land use planning level. Cities and counties allocate housing in their general plans to accommodate population projections.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project. The project would not result in an increase in population density or necessitate infrastructure improvements. The project would not displace housing or people, and would not necessitate the construction of replacement housing. Therefore, no changes in land use would occur. There would be **no impact** to population or housing.

## N. Public Services

**PUBLIC SERVICES:** 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:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Public services include law enforcement, fire protection and emergency medical response, schools, and parks.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. No new retail or manufacturing facilities would be constructed as a result of the proposed project. Therefore, the project will not require additional public service protections or public facilities. There will be **no impact** to public services.

## O. RECREATION

Recreation:	Potentially Significant Impact	Less Than Significant with Mitigation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Recreational resources and facilities are provided and managed at federal, state, and local levels. Recreational facilities and resources in California include, but are not limited to: national, state, regional, and local parks, national forests and grasslands, wildlife refuges, wilderness areas, lakes, campgrounds, museums, wild and scenic rivers, and back country byways, trails, and marine reserves and estuaries.

### Discussion

**No Impact.** The project would not authorize any specific land use or site-specific uses. There is an established infrastructure inside and outside of California for manufacturing upholstered products. Complying with the proposed project would use this existing infrastructure. The project would not result in an increase in population or housing. Therefore, the project would not result in increased use of existing parks or other recreational facilities and **no impact** to recreational resources would occur.



## P. Transportation and Traffic

TRANSPORTATION/TRAFFIC: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing roadway systems in the State generally consist of highways, freeways, arterials, local streets, and intersections/ramps. The existing average annual daily traffic (AADT) volumes on the roadway segments that comprise these systems vary considerably (i.e., from hundreds to hundreds of thousands). The level of service (LOS), a scale used to determine the operating quality of a roadway segment or intersection based on volume to capacity ratio (V/C) or average delay, also vary from LOS A, the best and smoothest operating conditions, to LOS F, most congested operating conditions. Other roadway and traffic volume characteristics, such as roadway length, number of lanes and facility type (e.g., two lane freeway), right of way width and pavement width, terrain classification (e.g., flat), percent of heavy duty truck traffic, and accident rates (e.g., number of accidents per million vehicle miles traveled) also vary substantially depending on the location. In addition to the roadway systems, circulation networks provide additional transportation opportunities and include mass transit, airports, and non-motorized travel (e.g., pedestrian and bicycle paths).

### Discussion

**No Impact.** The proposed project will not affect existing manufacturing and retail transportation of upholstered products. Therefore, the project will have **no impact** on transportation and traffic.

## Q. Utilities and Service Systems

UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Utilities and Services are divided into 5 systems. Each system is discussed separately:

Wastewater and Sewer: The California State Water Resources Control Board (SWRCB) is the State agency responsible for the regulation of wastewater discharges to surface waters and groundwater via land discharge. The Regional Water Quality Control Boards (RWQCBs) are responsible for issuing permits or other discharge requirements to individual wastewater dischargers and for ensuring that they are meeting the requirements of the permit through monitoring and other controls.

Municipal wastewater collection, treatment, and disposal are the responsibilities of local government or special districts. Wastewater collection is accomplished by sanitary sewers, which sometimes have interconnections with storm sewer systems.

Water Supply: The principal water supply facilities in California are operated by the U.S. Bureau of Reclamation (USBR) and the California Department of Water Resources (DWR). USBR is responsible for the management of the Central Valley Project; DWR is a State agency that is responsible for managing and implementing the State Water Project.

Electricity and Natural Gas: The California Public Utilities Commission (CPUC) regulates investor owned electric and natural gas companies located within California. Locally, energy service is provided by a public or private utility.

Solid Waste Disposal: Statewide, the Department of Resources Recycling and Recovery (CalRecycle) is responsible for the regulation of the disposal and other

handling of solid waste in California. Under the supervision of CalRecycle, and pursuant to regulations adopted by CalRecycle, locally designated public agencies serve as enforcement agencies in the approval and regulation of solid waste disposal facilities, transfer/processing stations, compost facilities and other solid waste handling activities.

### **Discussion**

Wastewater and Sewer: This project would have **no impact on** wastewater and sewer systems throughout the state.

Water Supply: This project would have **no impact** on water supplies throughout the state.

Electricity and Natural Gas: This project would have **no impact** on electricity or natural gas in the state.

Solid Waste Disposal: While the proposed project prescribes a performance standard, and by no means regulates the use of chemicals in upholstered furniture, a possible impact to the environment may occur in the area of solid waste disposal may occur. A desire for furniture that does not contain flame retardants, something that can be more readily achieved under the TB 117-2013 standard, may move owners of publicly occupied spaces to dispose of older furniture sooner than normal. This could potentially cause a short-term increase in the volume of solid waste being sent to landfills as owners dispose of old furniture.

Any increase in demand for solid waste disposal services generated by the project is expected to be minuscule, and could be adequately served by existing capacity at solid waste facilities throughout the state. Likewise, the volume of solid waste generated by the project, although too speculative to be estimated, would not be such that the anticipated closure dates of receiving landfills would be affected. Recycling of appropriate materials could also reduce the impact upon landfill capacity in the state.

The project would comply with all applicable regulatory requirements concerning solid waste. Therefore, the impact is considered less than significant.

## R. Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) 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, substantially 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Chapter 4: References

### BEARHFTI Materials

Proposed amendment to sections 1374 and 1374.3 of the California Code of Regulations, available for online review at:

[http://www.bearhfti.ca.gov/bureau\\_activities/regulatory\\_changes.shtml](http://www.bearhfti.ca.gov/bureau_activities/regulatory_changes.shtml)

TB 133, “Flammability Test Procedure for Seating Furniture for Use in Public Occupancies”, available for online review at:

<http://www.bearhfti.ca.gov/industry/tb133.pdf>

### Statutes

California Business and Professions Code sections 9810, 19031, 19034, 19034.5, 19161, and 19161.5

California Public Resources Code sections 21000-21189.3

California Health and Safety Code section 38530

### Regulations

Title 14, California Code of Regulations, sections 15000-15387

### Court Cases

*Gentry v. City of Murrieta* (2011) 36 Cal.App.4th 1359, 1379

### Studies

Parry, M.L., O.F. Canziani, J.P. Palutikof and Co-authors —Technical Summary. Climate Change 2007: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, M.L. Intergovernmental Panel on Climate Change, 2007, available at:

<http://www.ipcc.ch/pdf/assessment-report/ar4/wg2/ar4-wg2-ts.pdf>.

## Chapter 5: Report Preparation

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