Appendix B
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY
P.O. BOX 100
SACRAMENTO, CA 95812-0100

Environmental Checklist

I. Background

Project Title: The adoption of the Water Quality Control Plan for Enclosed Bays and Estuaries of California, Part 1, (Part 1) which addresses sediment quality

Contact Person: Chris Beegan

Project Description: The draft Water Quality Control Plan for Enclosed Bays and Estuaries of California, Part 1, (Part 1)contains narrative sediment quality objectives (SQOs) with indicators and thresholds that are used to interpret the narrative objectives and a program of implementation. The draft Part 1 would be applicable to all enclosed bays and estuaries of California.

II. Environmental Impacts

The environmental factors checked below could be potentially affected by this project. See the checklist on the following pages for more details.

☐	Land Use and Planning	☑	Transportation/Circulation	☐	Public Services
☐	Population and Housing	☑	Biological Resources	☑	Utilities and Service Systems
☑	Geological Problems /Soils	☐	Energy and Mineral Resources	☑	Aesthetics
☑	Hydrology/Water Quality	☑	Hazards	☑	Cultural Resources
☑	Air Quality	☑	Noise	☐	Recreation
☐	Agriculture Resources	☑	Mandatory Findings of Significance		

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☑	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☑
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☑	☐
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	☑

Failure to meet the objectives could potentially result in construction activities for additional treatment works, BMPs and use of land or vessel-based heavy equipment for all projects involving dredging or construction activities. Thus reasonably foreseeable short term impacts could occur during construction related activities. No long term impacts are anticipated that would result in substantial physical changes to the environment, including light or glare that would affect aesthetics.

2. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental impacts, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping & Monitoring Program of the California Resources Agency, to non-agricultural uses?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☑

There are no known or reasonably foreseeable impacts to agricultural resources as a result from the adoption of the Draft Plan of by compliance with the proposed Basin Plan amendment. Further more, the Draft Plan relies on the Regional Boards Irrigated Lands Programs to determine the SQOs will be implemented for those specific agricultural discharges that drain into bays and estuaries.

3. 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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☑
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☑	☐	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☑
d) 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 that exceed quantitative thresholds for ozone precursors)?	☑	☐	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☑

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Although the draft plan does not specify any particular remediation or corrective action, failure to meet the objectives could potentially result in construction activities for treatment works, BMPs, or use of land or vessel-based heavy equipment for all projects involving dredging or construction activities. Emissions from equipment, vehicles and vessels have the potential for temporary adverse effects to air quality. The primary pollutants of concern in these emissions are nitrogen oxides (NOx), carbon monoxide, and PM_{10} (particulate matter < 10 microns). Potential impacts can be mitigated to less than significant through the measures presented in Section 6. Specific mitigation measures will be considered under CEQA for each specific project.

4. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the DFG or USFWS?	☑	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☑	☐	☐	☐
c) Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the federal Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, *etc.*) through direct removal, filling, hydrological interruption or other means?	☑	☐	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?	☑	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Although the draft Part 1 does not specify any particular remediation or corrective action, failure to meet the objectives could potentially result in construction activities for treatment works, BMPs, or use of land or vessel-based heavy equipment for all projects involving dredging or construction activities. On land, there are no reasonably foreseeable impacts to terrestrial biological resources from adoption of the draft Part 1. In the water, impacts could occur but can be mitigated to significant levels. Identification and mitigation of impacts to biological resources would be determined under CEQA for each specific project in consultation with the DFG and the USFWS. See Section 6 for a discussion of mitigation measures.

5. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☑
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☐	☐	☑
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☑
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☑

Staff is not aware of any cultural resources present beneath subtidal sediments in bays and estuaries that could potentially be impacted through the adoption of the draft Part 1. However our lack of awareness does ?not preclude the possibility of previously unmapped cultural resources in near-shore locations that could be impacted by activities in response to an exceedence of the narrative SQOs. As a result, any future actions that could result in impacts to cultural resources would be subject to CEQA on an individual case-by-case basis, and evaluated at that time.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6. GEOLOGY and SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated in 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 & Geology Special Publication 42.	☐	☐	☐	☑
ii) Strong seismic ground shaking?	☐	☐	☐	☑
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☑
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☑
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?	☑	☐	☐	☐
d) Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☑
e) Have soils incapable of adequately supporting the use of septic tanks or alternate wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☑

The draft Part 1 addresses only subtidal sediments in bays and estuaries. Dredging activities have the potential to destabilize channel slopes and undermine pilings. Standard engineering practices such as installation of sheet pile walls at the toe of the shore slope would reduce or avoid this impact. Any future actions that may cause unstable conditions would be subject to CEQA on an individual case-by-case basis, and evaluated at that time.

7. HAZARDS and HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☑	☐	☐	☐
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?	☑	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?	☑	☐	☐	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or to the environment?	☐	☐	☐	☑
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 a public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Although the draft Part 1 does not specify any particular remediation or corrective action, failure to meet the objectives could potentially result in the generation, transport and disposal of hazardous materials and wastes. Risk to workers from accidental spills during excavation, loading and transport could occur in the absence of proper planning and appropriate precautions. To protect people and the environment from potential impacts, the hazardous material must be handled, transported, and stored in accordance with applicable laws and regulations. Section 6 describes mitigation measures that could be considered under CEQA for each specific project.

8. HYDROLOGY and WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☑	☐
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)?	☐	☐	☐	☑
c) Substantially alter the existing drainage pattern of the site, including through alteration of the course of a stream or river, or substantially increase the rate or volume of surface runoff in a manner that would:	☐	☐	☐	☑
i) result in flooding on- or off-site	☐	☐	☐	☑
ii) create or contribute runoff water that would exceed the capacity of existing or planned stormwater discharge	☐	☐	☐	☑
iii) provide substantial additional sources of polluted runoff	☑	☐	☐	☐
iv) result in substantial erosion or siltation on-or off-site?	☐	☐	☑	☐
d) Otherwise substantially degrade water quality?	☐	☐	☑	☐
e) Place housing or other structures which would impede or re-direct flood flows within a 100-yr. flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑
f) Would the change in the water volume and/or the pattern of seasonal flows in the affected watercourse result in:				
i) A significant cumulative reduction in the water supply downstream of the diversion?	☐	☐	☑	☐
ii) a significant reduction in water supply, either on an annual or seasonal basis, to senior water right holders downstream of the diversion?	☐	☐	☐	☑
iii) a significant reduction in the available aquatic habitat or riparian habitat for native species of plants and animals?	☑	☐	☐	☐
iv) a significant change in seasonal water temperatures due to changes in the patterns of water flow in the stream?	☐	☐	☐	☑

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
v) a substantial increase or threat from invasive, non-native plants and wildlife	☐	☐	☐	☑
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☑
h) 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?	☐	☐	☐	☑
i) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☑

Although the draft Part 1 does not require the development of wastewater treatment facilities, diversions to a sewer, or the construction of additional facilities, failure to meet the objectives could potentially result in additional controls, treatment or BMPs to reduce the discharge of pollutants into waterbodies. Discharge reductions for wastewater can be accomplished through (1) treatment process optimization; (2) waste minimization/pollution prevention; (3) pretreatment; or (4) new or additional treatment systems. Control of storm water or non-storm runoff may be achieved through the use of BMPs. Potential environmental impacts would be temporary during the construction phases and would depend upon the means selected to control the pollutants of concern. If dredging is required, there may be temporary impacts, such as increases in turbidity. Such temporary impacts would be identified on a case-by-case basis in the individual project CEQA documents. For this analysis, staff assume that it is very unlikely that discharges from treatment plants that currently meet CTR criteria are degrading sediment quality in relation to the proposed SQOs and draft Part 1. Urban runoff or agricultural tail water diversions may result in reduced flow in effluent dominated water bodies.

9. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?	☐	☐	☐	☑
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?	☐	☐	☐	☑
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑

General plans and zoning delineate those areas that will be developed, and the type and density of development to be allowed. There is nothing in the draft Part 1 that requires the properties to be used in any way. Project specific actions related to remediation or construction of additional controls may require approval from local regional or state planning agencies and commissions. These agencies would be required under CEQA to review each specific project, and require mitigation if necessary, in relation to their planning regulations.

10. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	☐	☐	☐	☑
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☑

There is no evidence that the adoption of the draft Part 1 would result in the loss of a known mineral resource or availability of the mineral resources.

11. NOISE. Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☑	☐	☐	☐

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☑
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☑
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☑	☐	☐	☐
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 in or working in the project area to excessive noise levels?	☑	☐	☐	☐
f) For a project within the vicinity of a private airstrip, would the project expose people residing in or working in the project area to excessive noise levels?	☑	☐	☐	☐

Although the draft Part 1 does not specify any particular remediation or corrective action, failure to meet the objectives could potentially result in short-term noise related to construction activities and use of land or vessel-based heavy equipment for all projects involving dredging or construction activities. Mitigation would consist of compliance with local noise ordinances (typical standards include blackouts prohibiting use of heavy equipment on Sundays, early morning hours and evenings all week, and on holidays), use of noise dampening material or barriers around equipment, locating equipment as far as practical from noise-sensitive areas and selecting haul routes that affect the lowest number of people. These alternatives would be considered under CEQA for each specific project.

12. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area either directly (*e.g.*, by proposing new homes and businesses) or indirectly (*e.g.*, through extension of roads or other infrastructure)?	☐	☐	☐	☑
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Adoption of the Draft draft Part 1 will not result in the need for more housing or displace residents of in existing communities. See discussion of growth-inducing impacts in Section 6 and Section 13241 factors in Section 7.

13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times or other performance objectives for any of the public services:

a) Fire protection?	☐	☐	☐	☑
b) Police protection?	☐	☐	☐	☑
c) Schools?	☐	☐	☐	☑
d) Parks?	☐	☐	☐	☑
e) Other public facilities?	☐	☐	☐	☑

Adoption of the draft Part 1 will not result in the need for new government services for fire or police protection, education, or maintenance of public services.

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
14. RECREATION. Would the project:				
a) 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?	☐	☐	☐	☑
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☑

Adoption of the draft Part 1 would not create additional demand for parks or recreational facilities, but would have a positive impact on existing recreational opportunities such as fishing and swimming.

15. TRANSPORTATION / CIRCULATION. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (*i.e.*, result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☑
b) Exceed, either individually or cumulatively, a level-of-service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☑
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?	☐	☐	☐	☑
d) Result in a change in vessel movement, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☑	☐	☐	☐
e) Substantially increase hazards due to a design feature (*e.g.*, sharp curves or dangerous intersections) or incompatible uses (*e.g.*, farm equipment)?	☐	☐	☐	☑
f) Result in inadequate emergency access?	☐	☐	☐	☑
g) Result in inadequate parking capacity?	☐	☐	☐	☑
h) Conflict with adopted policies supporting alternative transportation (*e.g.*, bus turnouts, bicycle racks)?	☐	☐	☐	☑

Adoption of the draft Part 1 would not create additional vehicle or air traffic, or alter traffic patterns. Remediation of contaminated sediments may temporarily alter vessel traffic that would require approval from port authorities, harbormasters and the U.S. Coast Guard. However these impacts would be mitigated under CEQA specifically for each project.

16. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☑	☐	☐	☐
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 impacts?	☑	☐	☐	☐
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 impacts?	☑	☐	☐	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☑

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider that 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?	☐	☐	☐	☑
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☑
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☑	☐	☐	☐

Although the draft Part 1 does not require the development of wastewater treatment facilities, diversions to sewer, or the construction of additional control facilities, failure to meet the objectives could potentially result in additional controls, treatment and BMPs to reduce the discharge of pollutants into water bodies. Potential environmental impacts would be temporary during the construction phases and would depend upon the means selected to control the pollutants of concern. Such temporary impacts would be identified on a case-by-case basis in the individual project CEQA documents. For this analysis, staff assume that discharges from treatment plants that currently meet CTR criteria are not degrading sediment quality in relation to the proposed SQOs and draft Part 1.

17. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☑	☐	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	☐	☐	☐	☑
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☑

This analysis indicates that the draft Part 1 if adopted could have potentially adverse effect on the environment. However, there are feasible alternatives or feasible mitigation measures that, if employed, would reduce the potentially significant adverse impacts identified in the substitute environmental documents to less than significant levels. These alternatives or mitigation measures are within the responsibility and jurisdiction of other public agencies. When the sediment quality objectives are implemented on a project-specific basis, the agencies responsible for the project can and should incorporate the alternatives or mitigation measures into any subsequent project or project approvals. Section 6 summarizes these findings.

Prepared By:

02/22/08

Chris Beegan — Date
Engineering Geologist

2/22/08

Dominic Gregorio, Chief — Date
Ocean Unit

Reviewed by:

2/25/08

Sheila Vassey, Staff Counsel — Date
Office of Chief Counsel

2/25/08

Darrin Polhemus, Deputy Director — Date
Division of Water Quality