CALIFORNIA ENVIRONMENTAL QUALITY ACT "SUBSTITUTE DOCUMENT" REPORT FOR BASIN PLAN AMENDMENTS (ENVIRONMENTAL CHECKLIST AND ALTERNATIVES ANALYSIS)

(RESOLUTION NO. R3-2009-0009)

ADD THE CORRALITOS/SALSIPUEDES CREEK WATERSHED TO THE DOMESTIC ANIMAL WASTE DISCHARGE PROHIBITION AND HUMAN FECAL MATERIAL DISCHARGE PROHIBITION AND ADOPT TOTAL MAXIMUM DAILY LOADS FOR FECAL COLIFORM IN CORRALITOS AND SALSIPUEDES CREEKS

The California Regional Water Quality Control Board, Central Coast Region (hereinafter Central Coast Water Board) is the Lead Agency for evaluating the environmental impacts of the proposed amendments to the Water Quality Control Plan (Basin Plan) in the Central Coast Region. The proposed amendments **add the Corralitos/Salsipuedes Creek watershed to the Domestic Animal Waste Discharge Prohibition and Human Fecal Material Discharge Prohibition**, and **incorporate Total Maximum Daily Loads and an Implementation Plan for Fecal coliform in Corralitos and Salsipuedes Creeks** (the Corralitos/Salsipuedes Creek watershed).

Corralitos Creek is listed on California's 303(d) list as impaired due to non-attainment of existing Basin Plan water quality objectives for fecal coliform. Corralitos Creek is tributary to Salsipuedes Creek, an approximately 6.50 mile long waterbody. The two waterbodies meet approximately 2.25 miles upstream of the Pajaro River. From the location of the confluence of Salsipuedes Creek and Corralitos Creek, Salsipuedes Creek continues to the Pajaro River.

Historic and recent data collected from Salsipuedes Creek and recent data from Corralitos Creek indicated impairment in both Creeks. Therefore, staff wrote the TMDLs for fecal coliform in both Creeks (each impaired waterbody is referred to hereafter as necessary, however, the entire watershed is referred to hereafter as the Corralitos/Salsipuedes Creek watershed).

The Secretary of Resources has certified the basin planning process as exempt from certain requirements of the California Environmental Quality Act (CEQA), including a preparation of an initial study, negative declaration, and environmental impact report (California Code of Regulations, Title 14, Section 15251(g)). As the proposed amendments to the Basin Plan are part of the basin planning process, the environmental information developed for and included with the amendments is considered a substitute to an initial study, negative declaration, and/or environmental impact report.

The "certified regulatory program" of the Central Coast Water Board, however, must satisfy the substantive requirements of California Code of Regulations, Title 23, Section 3777(a) which requires a written report that includes a description of the proposed activity (Attachment 2 of this Basin Plan Amendment Package), an alternatives analysis, and an identification of mitigation measures to minimize any significant adverse impacts. Section 3777(a) also requires the Central Coast Water Board to complete an environmental checklist as part of its substitute environmental documents.

The Central Coast Water Board's substantive obligations when adopting performance standards, such as TMDLs, are described in Public Resources Code section 21159. Section 21159, which allows expedited environmental review for mandated projects, provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an Environmental Analysis of the reasonably foreseeable methods of compliance. The statute further requires that the environmental analysis at a minimum, include, all of the following:

(1) An analysis of the reasonably foreseeable environmental impacts of the methods of compliance.
(2) An analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts.
(3) An analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. (Pub. Resources Code, § 21159(a).)

Section 21159(c) requires that the Environmental Analysis take into account a reasonable range of:
(1) Environmental, economic, and technical factors,
(2) Population and geographic areas, and
(3) Specific sites.

A "reasonable range" does not require an examination of every site, but a reasonably representative sample of them. The statute specifically states that the section shall not require the agency to conduct a "project level analysis." (Pub. Res. Code § 21159(d).). Rather, a project level analysis must be performed by the local agencies that are required to implement the requirements of the TMDL. (Pub. Res. Code § 21159.2.). Notably, the Central Coast Water Board is prohibited from specifying the manner of compliance with its orders (Water Code § 13360), and accordingly, the actual environmental impacts will necessarily depend upon the compliance strategy selected by the local agencies and other permittees.

The attached Environmental Checklist and the Staff Report for the Fecal Coliform TMDL in the Corralitos/Salsipuedes Creeks watershed, with Responses to Comments, and the Resolution approving the amendments, fulfill the requirements of Section 3777, Subdivision (a), and the Central Coast Water Board's substantive CEQA obligations. In preparing these CEQA substitute documents, the Central Coast Water Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends these documents to serve as a tier-one environmental review.

Any potential environmental impacts associated with the TMDL depend upon the specific compliance projects selected by the responsible parties, many of whom are public agencies subject to their own CEQA obligations. (See Pub. Res. Code § 21159.2.). If not properly mitigated at the project level, there could be adverse environmental impacts. The CEQA substitute documents identify broad mitigation approaches that should be considered at the project level. Consistent with CEQA, the substitute documents do not engage in speculation or conjecture but rather consider the reasonably foreseeable feasible mitigation measures, and the reasonably foreseeable alternative means of compliance, which would avoid, eliminate, or reduce the identified impacts. The Central Coast Water Board recognizes that there may be project-level impacts that the local public agencies may determine are not feasible to mitigate.

1. GENERAL ENVIRONMENTAL COMMENTS

The detailed environmental setting and authority for the proposed amendments that **add the Corralitos/Salsipuedes Creek watershed to the Domestic Animal Waste Discharge Prohibition and Human Fecal Material Discharge Prohibition**; and **incorporates Total Maximum Daily Loads and an Implementation Program for Fecal coliform in Corralitos and Salsipuedes Creeks** is set forth in the detailed Project Report entitled, "Total Maximum Daily Loads for Fecal coliform in Corralitos and Salsipuedes Creeks, Santa Cruz County, California." The Project Report identifies the environmental setting and need for the project.

The Central Coast Water Board has considered potential environmental impacts arising from the reasonably foreseeable means of compliance with the TMDLs. (Pub. Res. Code, §21159(a).). Many of these compliance approaches are already required under existing law. The elevated fecal coliform bacteria and/or Escherichia coli (*E. coli*) densities and continued exceedance of water quality objectives are themselves adverse environmental impacts, as the recreational users of these waterbodies will remain at risk during the implementation period for the TMDLs. The TMDLs provide a program for addressing the adverse impacts of non-compliance with water quality objectives, through a progressive reduction in the loading of bacteria to Corralitos and Salsipuedes Creeks, and through a schedule that is reasonable and as short as practicable.

2. ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. 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 with 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	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
glare which would adversely affect day or nighttime views in the area				
II. **AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. --Would the project:**				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
III. **AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:**				
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) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒
IV. 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 California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
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 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 wildlife 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?	☐	☐	☐	☒
V. 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 pursuant to §15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
paleontological resource or site or unique geologic feature?				
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
VI. 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 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.	☐	☐	☐	☒
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 soil, 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 alternative waste-water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
VII. 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	☐	☐	☐	☒

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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 one-quarter 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 Section 65962.5 and, as a result, would it create a significant hazard to the public or 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 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
VIII. HYDROLOGY AND WATER QUALITY -Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete ground water supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water 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	☐	☐	☐	☒

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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?				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
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?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
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?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
IX. 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?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒
XI. 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?	☐	☐	☐	☒
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 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 or working in the project area to excessive noise levels?	☐	☐	☐	☒
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, 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,	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
necessitating the construction of replacement housing elsewhere?				
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒
XIV. RECREATION –				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
XV. TRANSPORTATION/TRAFFIC -- 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) Substantially increase hazards due to a	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☒	☐
XVI. 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 effects?	☐	☐	☒	☐
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?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
XVII. 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	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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 which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

3. ENVIRONMENTAL EVALUATION DISCUSSION

Discussion of Possible Environmental Impacts of Reasonably Foreseeable Compliance Methods and Mitigation Measures

The Environmental Substitute Document must include an analysis of the reasonably foreseeable environmental impacts of the methods of compliance, and the reasonably foreseeable mitigation measures relating to those impacts.

A significant effect on the environment is defined in regulation as "*a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. A social or economic change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant* (14 CCR section 15382)."

I. AESTHETICS -- Would the project:
(a) – Have a substantial adverse effect on a scenic vista?
Answer: No impact.

Responsible parties may choose one, all or none of the following strategies to comply with required implementation. They may:

- install linear barriers to corral or exclude livestock or other domestic animals

- create structures such as manure bunkers or berms to prevent livestock waste from entering surface waters
- create homeless person barriers
- hire or install security surveillance
- replace or maintain sewer lateral and main line connections
- install dry weather diversions, or
- create bioretention cells or grassy swales for low impact development.

Potential implementation strategies may require largely underground, or low to the ground, structures to be developed or repaired. These structures would not block scenic vistas. Above ground structures such as fences also would not be at a scale large enough to block scenic vistas.

(b) – Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?
Answer: No impact.

Reasonably foreseeable implementation strategies (as described in **(a)** above) do not require the building of structures that would damage natural or human made resources to the extent that it would impede the scenic quality of the area.

(c) – Substantially degrade the existing visual character or quality of the site and its surroundings?
Answer: No impact.

Reasonably foreseeable implementation strategies (as described in **(a)** above) are not of such a nature as to degrade visual character since, as described above, most implementation strategies are carried out underground and those that are above ground are likely to be unobtrusive in their physical characteristics.

(d) – Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
Answer: Less than significant impact.

The method responsible parties will choose to comply with implementation requirements is unknown to Central Coast Water Board staff because staff cannot require specific implementation strategies. In terms of implementation strategies for homeless persons, responsible parties may choose to install bright lights on their property. These lights may be shielded to direct the light only to the specific area of need and thus, will not make much of an impact.

II. AGRICULTURE RESOURCES: --Would the project:
(a) – Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

(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?

Answer to all of the above questions having to do with Agricultural Resources: **No impact**. Staff determined there are no reasonably foreseeable implementation strategies that require a change in zoning, conversion in land use nor do anything to interfere with a Williamson Act contract. Therefore staff determined there would be no impact in terms of Agricultural Resources.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:
(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) – Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is not attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)??

(d) – Expose sensitive receptors to substantial pollutant concentrations?

(e) – Create objectionable odors affecting a substantial number of people?

Answer to all of the above questions having to do with Air Quality**: No impact**. Staff concluded there would be no impact in terms of Air Quality. Air quality problems that are a result of the reasonably foreseeable means of compliance for this project (as described in **1(a)** above) would not be of a scale large enough to impact the applicable air quality plan. They may include dust from small scale construction/or excavation, or objectionable odors from onsite wastewater systems or sewer maintenance. Staff concluded pollutant concentration from these activities would not be substantial and that they would not affect a substantial number of people.

IV. 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 California Department of Fish and Game or U.S. Fish and Wildlife Service?
Answer: Less than significant impact.

The Central Coast Water Board requires implementation of responsible parties who own property that may contain special-status species. There are three special status species within 0.5 mile of Corralitos and Salsipuedes Creeks: 1) Santa Cruz tarplant (*Holocarpha macradenia*), 2) Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), and 3) western pond turtle (*Clemmys marmorata*) (personal Communication, Janine DeWald, Wildlife Biologist, Department of Fish and Game, June, 2007). Some of these species may live in habitats similar to those in areas where implementation is required.

The method responsible parties will choose to comply with implementation requirements is unknown to Central Coast Water Board staff because staff cannot require specific implementation strategies. Responsible parties may choose one, all or none of the following strategies to comply with required implementation. They may:

- install linear barriers to corral or exclude livestock or other domestic animals
- create structures such as manure bunkers or berms to prevent livestock waste from entering surface waters
- create homeless person barriers
- hire or install security surveillance
- replace or maintain sewer lateral and main line connections
- install dry weather diversions, or
- create bioretention cells or grassy swales for low impact development.

Staff determined that the above strategies would result in a less than significant impact. Barrier structures would potentially cover negligible surface area. Construction activities for collection system or onsite wastewater systems maintenance may include removing soil/plant cover; however, the removed soil/plant cover can be replaced. Excavation for barrier posts or posts for surveillance cameras may include removal of soil/plant cover . The soil/plant cover that is removed may be moved elsewhere on site. Soil that is amended for creation of a bioretention cell or other low impact development strategy will most likely occur in areas that are highly urbanized and do not have special-status species.

Staff also determined it is likely that implementation activities in the watershed will not occur simultaneously, and landowners may disturb the land on their properties, including building fences or other buildings for other reasons, regardless of Central Coast Water Board implementation requirements. Furthermore, staff concluded mitigation measures should be used to lessen the impacts. Responsible parties should first consult with resource agencies such as the California Department of Fish and Game to determine if an impact on special-status species is likely to occur. If the agencies determine an impact is likely, they should advise responsible parties as to the best strategies to reduce impacts on these resources.

(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?
Answer: Less than significant impact.

The Central Coast Water Board requires implementation of responsible parties who own property in riparian habitat. The method responsible parties will choose to comply with implementation requirements is unknown to Central Coast Water Board staff because staff cannot require specific implementation strategies. Responsible parties may choose one, all or none of the following strategies to comply with required implementation. They may:

- install linear barriers to corral or exclude livestock or other domestic animals
- create structures such as manure bunkers or berms to prevent livestock waste from entering surface waters
- create homeless person barriers
- hire or install security surveillance
- replace or maintain sewer lateral and main line connections
- maintain onsite wastewater systems, install new onsite wastewater systems, or install alternate waste water systems,
- install dry weather diversions, or

- create bioretention cells or grassy swales for low impact development.

Staff determined that the above strategies would result in a less than significant impact. Barrier structures would potentially cover negligible surface area. Construction activities for collection system or onsite wastewater systems maintenance may include removing riparian soil/plant cover; however, the removed riparian soil/plant cover can be replaced. Excavation for barrier posts or posts for surveillance cameras may include removal of riparian soil/plant cover. The riparian soil/plant cover that is removed may be moved elsewhere on site.

Staff also determined it is likely that implementation activities in the watershed will not occur simultaneously, and landowners may disturb the land on their properties, including building fences or other buildings for other reasons, regardless of Central Coast Water Board implementation requirements. Furthermore, staff concluded that the following mitigation measures can be employed to reduce impacts on riparian habitat or other sensitive natural communities: (1) Consult with a resource agency such as the California Department of Fish and Game or United States Army Corps of Engineers to determine the best location for construction; (2) Replace the same soil that is removed from a construction location; (3) Reserve the top seven to eight inches of removed soil in a separate location to be replaced on top of deeper replaced soil; (4) Develop a resource agency approved plan to replace any riparian vegetation that is impacted.

(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?
Answer: Less than significant impact.

The Central Coast Water Board requires implementation of responsible parties who potentially own property in wetland habitat. The method responsible parties will choose to comply with implementation requirements is unknown to Central Coast Water Board staff because staff cannot require specific implementation strategies. Responsible parties may choose one or all of the following strategies to comply with required implementation. They may:

- install linear barriers to corral or exclude livestock or other domestic animals
- create structures such as manure bunkers or berms to prevent livestock waste from entering surface waters
- create homeless person barriers
- hire or install security surveillance
- replace or maintain sewer lateral and main line connections
- maintain onsite wastewater systems, install new onsite wastewater systems, or install alternate waste water systems,
- install dry weather diversions, or
- create bioretention cells or grassy swales for low impact development.

Staff determined that the above strategies would result in a less than significant impact. Barrier structures would potentially cover negligible surface area. Construction activities for collection system or onsite wastewater systems maintenance may include removing wetland soil/plant cover; however, the removed wetland soil/plant cover can be replaced. Excavation for barrier posts or posts for surveillance cameras may include removal of wetland soil/plant cover. The wetland soil/plant cover that is removed may be moved

elsewhere on site. Responsible parties can consult with a wetland biologist to assure replanting in an appropriate location.

Staff also determined it is likely that implementation activities in the watershed will not occur simultaneously, and landowners may disturb the land on their properties, including building fences or other buildings for other reasons, regardless of Central Coast Water Board implementation requirements. Furthermore, staff concluded that the following mitigation measures can be employed to reduce impacts on wetland habitat or other sensitive natural communities: (1) Consult with a resource agency such as the California Department of Fish and Game or United States Army Corps of Engineers to determine the best location for construction; (2) Replace the same soil that is removed from a construction location; (3) Reserve the top seven to eight inches of removed soil in a separate location to be replaced on top of deeper replaced soil; (4) Develop a resource agency approved plan to replace any wetland vegetation that is impacted.

(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?
Answer: No impact.

Reasonably foreseeable implementation strategies will not substantially interfere with migration of fish because implementation strategies are not required in the water of the Creeks. Also, reasonably foreseeable compliance would not be of a scale large, contiguous, or numerous enough to block migration or use of wildlife nursery sites.

(e) – Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
Answer: No impact.

Staff found one code protecting biological resources: CHAPTER 16.34 Significant Trees Protection. Staff concluded potential implementation strategies for this project do not conflict with this policy, because the strategies should not interfere with trees that are potentially protected.

(f) – Conflict with the provision of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
Answer: No impact.

Staff concluded this project shares similar goals as the Pajaro River and Salsipuedes and Corralitos Creeks Management and Restoration Plan, based on the *Final Environmental Impact Report, Pajaro River and Salsipuedes and Corralitos Creeks, Management and Restoration Plan* (Harding ESE, 2002). Also, strategies should not conflict with Corralitos Creek fish passage enhancement programs since potential implementation strategies are not required in the water of the Creeks.

V. 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 pursuant to §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?

Answer to all of the above questions having to do with Cultural Resources: **Less than significant impact.** Staff concluded reasonably foreseeable implementation that occurs underground will take place in areas that were already disturbed and contain sewer mains and/or other pipes, with a couple of exceptions. Potential implementation that involves replacement of an onsite wastewater system, installing an alternate system, or the digging of a hole for a fence post, may disturb previously unexcavated soil. In the event cultural resources are discovered, staff does not expect a substantial adverse change in significance of the resources, destruction of unique cultural resources, or the disturbance of human remains. Staff based this conclusion on the small-scale operation of digging a new onsite wastewater system or fence post hole, and because the onsite wastewater system or alternate system and/or fence post could be re-sited if cultural resources are found.

If during ground-disturbing activities cultural resources or unique geologic features are identified, all work within 50 feet should be halted and a qualified archaeologist/geologist contacted to evaluate the finds and make recommendations. If the cultural resources or geologic features are not significant as determined by a qualified archaeologist/geologist, no further protection is necessary. If such cultural resources or geologic features are found to be significant, they should be avoided by project activities.

VI. 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 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.
ii. Strong seismic ground shaking
iii. Seismic-related ground failure, including liquefaction?
iv. Landslides?

Answer: No impact.

Staff determined that potential implementation strategies will not have potential adverse effects as described above, due to the small scale of the projects. Although potentially some implementation strategies occur below ground, they are not to such a depth or on such a slope, or at such a scale as to result in the conditions described in the questions.

(b) – Result in substantial soil erosion or the loss of topsoil?
Answer: No impact.

For implementation strategies that necessitate soil removal, staff expects topsoil to be replaced and erosion to be minimal. Because erosion is predicted to be minimal and not substantial staff reasoned there will be no impact.

(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?
Answer: No impact.

Staff determined the reasonably foreseeable implementation strategies will not occur at such a scale as to cause soil instability, landslides, subsidence, liquefaction or collapse.

(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?
Answer: No impact.

Staff could not find evidence of expansive soil in the potential project areas. However, the required soil surveys should be conducted prior to building structures that serve as implementation strategies.

(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?
Answer: No impact.

Staff determined that potentially suitable implementation strategies include siting a new onsite wastewater system or siting an alternative system. The siting process will indicate the appropriate location for the septic or alternate systems. Properly sited locations have soils that adequately support the waste-water disposal. Because the potential implementation strategies include maintaining or providing alternate septic systems, they would not result in soils incapable of supporting these systems. Furthermore, staff concluded that other potential implementation strategies should not result in jeopardizing soil for the use of septic or alternate systems.

VII. 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 one-quarter 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 Section 65962.5 and, as a result, would it create a significant hazard to the public or 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 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?

(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?

Answer to all of the above questions having to do with Hazards and Hazardous Materials: **No impact**. Staff determined that there are no reasonably foreseeable methods of compliance that use or produce hazardous waste, or that would generate hazardous conditions. Therefore staff determined there would be no impact in terms of Hazards and Hazardous Materials.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:
(a) – Violate any water quality standards or waste discharge requirements?

Answer: Less than significant impact.

Staff determined that when the sanitary district replaces or repairs collection system lines, or when maintenance workers repair private laterals or onsite systems, it is possible that sewage may be accidentally released onto roads and/or into storm drains. If the spill were to flow to a surface water there may be a violation of water quality standards and/or waste discharge requirements. Maintenance or construction workers generally work to avoid these types of spills and leaks, therefore staff concluded this type of degradation to water quality would be less than significant.

(b) – Substantially deplete ground water supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water 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 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?

(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?

(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?

(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?

Answer to above and below questions **(b)** through **(e)**, **(g)**, and **(i)** though **(j)**, having to do with Hydrology and Water Quality**: No impact**. Staff concluded that potential implementation strategies should be developed to improve water quality and should not substantially degrade water quality, violate water quality standards, deplete groundwater supplies, alter drainage patters, increase runoff, increase the chances of risk of loss, injury or death involving flooding, or increase the chance of tsunami or mudflow. Also,

no housing should be developed as a result of the implementation strategies therefore none will be placed within a 100-year flood hazard area.

(f) – Otherwise substantially degrade water quality?

Answer: Less than significant impact.

Staff determined that when the sanitary district replaces or repairs collection system lines, owners repair their private laterals or onsite systems, or municipalities construct dry weather diversions, it is possible that gasoline or oil from earth moving or construction/maintenance machinery may be released. Maintenance or construction workers generally work to avoid these types of spills and leaks, therefore this type of degradation to water quality would be less than significant.

(h) – Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
Answer: Less than significant impact.

Staff determined there is a possibility that a fence or containment structure to contain animals or to reduce passage of homeless persons onto private property will be constructed in the 100-year flood plain. However, because these structures are typically open (not solid), the structures are expected to have a less than significant impact on flow.

(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?

(j) – Inundation by seiche, tsunami, or mudflow?

Answer: See (g) above.

IX. LAND USE AND PLANNING-- Would the project:
(a) – Physically divide an established community?
Answer: No impact.

Staff determined that the potential means of compliance should not divide a community because they are individual in nature and will not be at a large enough (community-sized) scale.

(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?
Answer: No impact.

Staff determined the reasonably foreseeable compliance measures are small-scale and should not conflict with land use, policy, or regulation of an agency with jurisdiction over the project, adopted for mitigation purposes. All locations in which implementation would take place already have designated land uses which would not change.

(c) – Conflict with any applicable habitat conservation plan or natural community conservation plan?
Answer: No impact.

Staff determined that potential compliance strategies should not conflict with any applicable habitat conservation plan or natural community conservation plan because plans of this type do not exist in this area.

Staff concluded this project shares similar goals as the Pajaro River and Salsipuedes and Corralitos Creeks Management and Restoration Plan, based on the *Final Environmental Impact Report, Pajaro River and Salsipuedes and Corralitos Creeks, Management and Restoration Plan* (Harding ESE, 2002). Also, strategies should not conflict with Corralitos Creek fish passage enhancement programs since potential implementation strategies are not required in the water of the Creeks.

X. MINERAL RESOURCES -- Would the project:
(a) – Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

(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?

Answer to all of the above questions having to do with Mineral Resources**: No impact**. Staff concluded that there are no locally known valuable mineral sources in the region and therefore important mineral recovery sites should not be lost. Furthermore, reasonable foreseeable implementation measures should not preclude the mining of mineral resources.

XI. 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?
Answer: No impact.

The magnitude and duration of noise caused by reasonably foreseeable compliance measures is unknown and speculative. Staff determined the required activities that may result in an increase in noise will take place regardless of the requirements of the implementation plan. Staff concluded these types of activities (digging for onsite wastewater system maintenance or replacement, repair of sewer lines, etc.) should be in compliance with the local general plan and/or noise ordinance, e.g., time of day activity occurs, level of truck idle, etc.

(b) – Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
Answer: No impact.

The magnitude and duration of groundborne vibrations and noise levels caused by reasonably foreseeable compliance measures is unknown and speculative. Staff determined the required activities that may result in an increase in noise will take place regardless of the requirements of the implementation plan. Staff concluded these types of activities (digging for onsite wastewater system maintenance or replacement, repair of

sewer lines, etc.) should be in compliance with the local general plan and/or noise ordinance, e.g., time of day activity occurs, level of truck idle, etc.

(c) – A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
Answer: No impact.

Staff concluded increased noise levels due to compliance measures will not be permanent.

(d) – A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
Answer: Less than significant impact.

Staff determined that during construction of animal containment structures or repair of collection system lines and onsite wastewater systems, there may be a brief period when the noise level is increased due to heavy machinery or an increase in traffic due to work on collection system lines under roadways. Staff concluded the temporary increase in ambient noise levels would be minor at most.

(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?
Answer: No impact.

Staff concluded reasonably foreseeable compliance measures will not result in excessive noise levels.

(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?
Answer: No impact.

The project is not within the vicinity of a private airstrip.

XII. POPULATION AND HOUSING -- Would the project:
(a) – Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, 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?

Answer to all of the above questions having to do with Population and Housing: **No impact.** Staff determined the reasonably foreseeable implementation strategies should not induce substantial population growth. The potential implementation strategies do not include construction of new houses or businesses, or extension of roads or introduction of infrastructure. There also should be no need to displace existing housing. Therefore staff determined there would be no impact in terms of Population and Housing.

XIII. PUBLIC SERVICES

(a) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
Fire protection?
Police protection?
Schools?
Parks?
Other public facilities?

Answer to all of the above questions having to do with Public Services: **No impact**. Staff determined there are no reasonably foreseeable implementation strategies whose construction would cause environmental impacts when maintaining acceptable service ratios and response times. Reasonably foreseeable implementation strategies should not impede services. Staff concluded that if roadways must be excavated for collection system maintenance, for example, access to and through that roadway for emergency vehicles should be maintained. Onsite wastewater system excavation should occur on private property and not under public roads; therefore services requiring roadways should not be impeded. Fences will likely be constructed in areas that are not currently used as access for fire or police protection or that are not part of a park or school. If a fence is constructed at a park, it would likely surround the park and not impede its use as a park. Therefore staff determined there would be no impact in terms of Public Services.

XIV. RECREATION:

(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?

(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?

Answer to both of the above questions having to do with Recreation: **No impact**. Staff determined that potential implementation measures do not include the construction of recreational facilities nor do they increase population in the area therefore they will not increase use of existing recreational facilities. Thus, staff determined that there will be **no impact** in terms of Recreation.

XV. TRANSPORTATION/TRAFFIC -- 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)?
Answer: Less than significant impact.

During construction, there may be a brief period when traffic congestion will increase compared to the normal flow of traffic due to the need to access collection system lines located in roadways.

(b) – Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
Answer: No impact.

Changes in traffic due to activities to install implementation measures should not exceed the service standard level established by the county as these types of activities currently occur and the County's level of service standard should allow for the activities.

(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?
Answer: No impact.

Staff concluded there should be no change in air traffic patterns due to the potential implementation strategies, because the strategies in no way either increase or decrease air traffic and structures should not be tall enough to have an affect on the flight of an airplane..

(d) – Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
Answer: No impact.

Traffic hazards will not substantially increase, as the activities necessary for carrying out the implementation strategies are currently taking place. Therefore design features coming as a result of the activities would exist regardless of these activities.

(e) – Result in inadequate emergency access?
Answer: No impact.

Staff determined reasonably foreseeable implementation strategies should not impede emergency access. Staff concluded that if roadways must be excavated for collection system maintenance, for example, access to and through that roadway for emergency vehicles should be maintained. Onsite wastewater system excavation should occur on private property and not under public roads; therefore services requiring roadways should not be impeded. Fences will likely be constructed in areas that are not currently used as access for fire or police protection or that are not part of a park or school.

(f) – Result in inadequate parking capacity?
Answer: Less than significant impact.

Staff surmised that a parking lot could potentially be blocked due to implementation strategy construction, particularly construction occurring in roadways. However, the magnitude of the blockage is speculative at best; therefore, staff surmised this is a less than significant impact.

(g) – Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Answer: Less than significant impact.

Staff surmised that alternate transportation infrastructure could potentially be blocked due to implementation strategy construction, particularly construction occurring in roadways and in urban areas. However, the magnitude of the blockage is speculative at best; therefore, staff surmised this is a less than significant impact.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:
(a) – Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
Answer: No impact.

Staff concluded reasonably foreseeable compliance measures would be within all wastewater treatment requirements of the Regional Water Quality Control Board because any compliance measure having to do with a treatment facility (a potential compliance measure for the community of Delaney) would be permitted by the 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 effects?
Answer: Less than significant impact.

Staff concluded a potential compliance measure for the community of Delaney may be a wastewater treatment package plant. The construction of such a facility could pose an environmental impact. However, the magnitude of the facility is speculative at best, and the facility may be built regardless of the requirements in the implementation plan. Therefore staff determined at this time the impact would be less than significant.

(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?
Answer: No impact.

Staff determined that because potential strategies to ameliorate the effects of stormwater are many and staff does not know what strategy will be chosen, it is difficult to determine the severity of impacts. However, because stormwater infrastructure is already in place, large-scale construction is not expected to occur. There may be the need to install dry-weather diversions or modify existing drainage infrastructure. Staff expects these activities will not result in a significant environmental effect.

(d) – Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
Answer: No impact.

Staff determined that reasonably foreseeable implementation strategies should not require an increase in water supply.

(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?
Answer: No impact.

Should connection to an existing wastewater treatment plant be necessary, consultation with the treatment plant will determine if capacity is adequate. If capacity is not adequate, the parties needing wastewater treatment should develop an alternate plan for treatment of their wastewater.

(f) – Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
Answer: No impact.

Staff determined reasonably foreseeable implementation strategies should not require solid waste disposal.

(g) – Comply with federal, state, and local statutes and regulations related to solid waste?
Answer: No impact.

Staff determined reasonably foreseeable implementation strategies should not require solid waste disposal.

XVII. 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?
Answer: Less than significant impact.

Staff concluded that conditions in questions **(a)** will not result due to the benign nature of the potential compliance measures, with the exception of potentially restricting the range of a rare or endangered animal. A reasonably foreseeable compliance measure is the building of fences in rural and potentially riparian areas. Staff concluded plants can migrate through fences, but some animal species may not be able to migrate through a fence. However, staff concluded that because not all responsible parties will choose to build fences, and fences that are built are not likely to be built in a continuous manner blocking an entire corridor, this is a less than significant impact.

(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)?
Answer: No impact.

Staff concluded that due to the benign nature of the potential compliance measures and the insignificance of permanent changes to the environment, such as fences, there should be no cumulative considerable impacts.

(c) – Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
Answer: No impact.

Staff concluded that due to the benign nature of the potential compliance measures and because the compliance measures should help human beings experience better health (through potentially reduced numbers of health violations) there should be no substantial adverse effects on human beings.

3. ALTERNATIVES ANALYSIS DISCUSSION

The following section discusses the Preferred Alternative (i.e., adoption of the proposed Total Maximum Daily Loads and the addition of Corralitos/Salsipuedes Creek watershed to the Domestic Animal Waste Discharge Prohibition and Human Fecal Material Discharge Prohibition), Other Alternatives, and a No-Action Alternative.

a. Preferred Alternative

Staff concluded the Preferred Alternative is the adoption of the proposed Total Maximum Daily Loads for Pathogens in the Corralitos/Salsipuedes Creek watershed. Fecal coliform bacteria and *Escherichia coli* bacteria are used as indicators (fecal indicator bacteria) for the presence of pathogenic organisms. Fecal indicator bacteria load is allocated to responsible parties. The responsible parties must reduce their load to achieve allocated water column concentrations. Responsible party implementation and monitoring will occur pursuant to terms of NPDES and WDR permits and/or local or federal agency environmental review and conditions; the Domestic Animal Waste Discharge Prohibition and Human Fecal Material Discharge Prohibition; and monitoring and reporting requirements issued by the Central Coast Water Board Executive Officer through the California Water Code. Central Coast Water Board staff will conduct reviews to evaluate the success of implementation actions aimed at reducing loading to achieve the allocations. A period of 13-years of implementation is the anticipated time required to achieve the allocations necessary to achieve the TMDLs.

b. Other Alternatives

i. Responsible parties can use foreseeable methods of compliance (as described in Section 3. Environmental Evaluation) in varying combinations. It would be cumbersome for staff to describe all possible alternatives in this document and not of much benefit, since staff would be speculating.

Staff concluded one alternative could be choosing a combination of implementation measures that causes the least impact to the environment. Responsible parties could choose between implementation measures that cause minimal environmental damage and greater damage.

For example:

A. instead of installing dry weather water diversions, detention basins, and diverting stormwater, responsible parties could install pollutant attenuating filters in storm drains.
B. rather than excavating to repair, or extract and replace existing onsite waste disposal systems, the responsible party could install an alternate system.
C. responsible parties could relocate animals to part of their property farther from the Creek as opposed to building manure bunkers.
D. fences to contain animals can be located to avoid removal of special-status species.
E. install decomposing toilets and gray water systems instead of excavating and replacing sewer lines/laterals.

ii. Responsible parties could attenuate discharges by making fundamental lifestyle shifts that eliminate the activities that contribute to the discharge. It was difficult for staff to estimate the level of impact due to this alternative since staff does not know what changes parties would choose to in order to eliminate discharges. However, staff concluded responsible parties may choose to:

A. relocate their homes in addition to employment and schools, or
B. sell or move their farm animals/livestock to another property.

Staff concluded it is highly unlikely that responsible parties will choose these methods of compliance as they may represent a financial hardship. Also, moving to a new location/watershed may represent family, school, and employment disruption in addition to financial hardship.

c. No-Action Alternative

The Central Coast Water Board will not require implementation or monitoring. Assuming the responsible parties do not take action on their own, staff determined water quality will remain poor and the TMDLs will not be achieved. Furthermore, beneficial uses in the Corralitos/Salsipuedes Creek watershed will continue to go unprotected.

Literature Cited

14 CCR section 15382. 2007.://ceres.ca.gov/topic/env_law/ceqa/guidelines/art19.html Copyright © 1998-2003 California Resources Agency. All rights reserved. This file last modified on: Tuesday, July 24,

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Signature

3/27/08
Date