

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

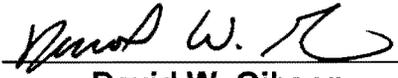
Negative Declaration

Project Title: Adoption of Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges in the San Diego Region.

Order Number: R9-2014-0041.

This Negative Declaration is comprised of this form along with the Initial Study that includes the completed Environmental Checklist Form. This document is considered draft until adopted by the California Regional Water Quality Control Board, San Diego Region.

1. **California Environmental Quality Act, Negative Declaration Findings:**
 - a. This Negative Declaration reflects the decision-making body's independent judgment and analysis;
 - b. The decision-making body has reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period; and
 - c. On the basis of the whole record before the decision-making body (including this Negative Declaration) that there is no substantial evidence that the project will have a significant effect on the environment.
2. **Required Mitigation Measures:** None.
3. **Critical Project Design Elements That Must Become Conditions of Approval:** None.
4. **Adoption Statement:** This Negative Declaration was approved and the above California Environmental Quality Act findings were made by the California Regional Water Quality Control Board, San Diego Region on June 26, 2014.



David W. Gibson
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**DRAFT INITIAL STUDY AND ENVIRONMENTAL CHECKLIST FOR
TENTATIVE GENERAL ORDER WITH CONDITIONAL WAIVERS
OF WASTE DISCHARGE REQUIREMENTS FOR LOW THREAT
DISCHARGES IN THE SAN DIEGO REGION**

**DEVELOPED IN ACCORDANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**PURSUANT TO PUBLIC RESOURCES CODE
SECTIONS 21000 THROUGH 21177
AND
CALIFORNIA CODE OF REGULATIONS TITLE 14
SECTIONS 15000 THROUGH 15387**

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SAN DIEGO REGION
2375 NORTHSIDE DRIVE, SUITE 100, SAN DIEGO, CA 92108**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY AND ENVIRONMENTAL CHECKLIST**

A. PROJECT TITLE:

Issuance of a General Order with Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges in the San Diego Region

B. APPLICANT:

California Regional Water Quality Control Board, San Diego Region

C. APPLICANT'S CONTACT PERSON:

Roger Mitchell
California Regional Water Quality Control Board, San Diego Region
Groundwater Protection Branch
2375 Northside Drive, Suite 100, San Diego, CA 92108
Roger.Mitchell@waterboards.ca.gov

D. SURROUNDING LAND USES AND SETTING:

The San Diego Region forms the southwest corner of California and occupies approximately 3,900 square miles. The western boundary of the Region consists of the Pacific Ocean coastline. The northern boundary of the Region is formed by the hydrologic divide starting near Laguna Beach and extending inland through El Toro and easterly along the ridge of the Elsinore Mountains into the Cleveland National Forest. The eastern boundary of the Region is formed by the Laguna Mountains and other lesser known mountains located in the Cleveland National Forest. The southern boundary of the Region is formed by the United States-Mexico international border.

The San Diego Region encompasses most of San Diego County, parts of southwestern Riverside County, and southwestern Orange County. The Region is divided into a coastal plain area, a central mountain-valley area, and an eastern mountain-valley area. It consists of eleven hydrologic units that ultimately drain to the Pacific Ocean. The climate in the Region is generally mild with annual temperatures averaging around 65°F near the coastal areas. Average annual rainfall ranges from 9 to 11 inches along the coast to more than 30 inches in the eastern mountains. There are two distinct seasons in the Region. Summer dry weather occurs from late April to mid-October. During this period almost no rain falls. The winter season (mid-October through early April) consists of generally dry weather interspersed by occasional rain storms. Eighty-five to ninety percent of the annual rainfall occurs during the winter season.

The land use of the San Diego Region is highly variable. The western coastline areas are highly developed with urban and residential land uses, and the inland areas primarily consist of open space. The predominant land uses in the Region are open space or recreational land use, followed by low-density residential and agriculture/livestock land uses. Other major land uses are commercial/institutional, high-density residential, industrial/transportation, military, transitional, and water.

E. PROJECT DESCRIPTION:

Introduction:

The project entails the issuance of a General Order with Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges in the San Diego Region (Conditional Waivers General Order).¹ The Conditional Waivers General Order will:

- revise and renew the following conditional waivers, which expired in February 2014:
 - No. 1 – Discharges from On-site Disposal Systems;
 - No. 2 – “Low-Threat Discharges to Land;
 - No. 3 – Discharges from Animal Operations;
 - No. 5 – Discharges from Silvicultural Operations;
 - No. 7 – Discharges of Recycled Water to Land;
 - No. 8 – Discharges of Solid Waste to Land;
 - No. 9 – Discharges of Slurries to Land;
 - No. 10 – Discharges of Emergency/Disaster Related Wastes; and
 - No. 11 – Aerially Discharged Wastes Over Land
- incorporate an existing conditional waiver for Discharges from Aquatic Animal Production Facilities; and
- incorporate new conditional waivers for:
 - Discharges of Winery Washwater to Lined Evaporation Ponds at Small Wineries; and
 - Discharges of Waste to Land at Composting Facilities;

The Conditional Waivers General Order requires the implementation of effective management measures (MMs), and structural and non-structural best management practices (BMPs) to address potential impacts associated with storm water run on and runoff, wastes, and wastewaters discharged from facilities or operations located with the San Diego Region.

As required by California statute, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) must comply with the requirements specified in the California

¹ PLACE HOLDER FOR URL TO CONDITIONAL WAIVERS GENERAL ORDER.

Environmental Quality Act (CEQA)² prior to issuing the Conditional Waivers General Order. Under CEQA, the San Diego Water Board is the Lead Agency for evaluating the environmental impacts of the discharges regulated by the Conditional Waivers General Order, and of the reasonably foreseeable methods of compliance with the proposed Conditional Waivers General Order.

Background:

Operations located within the San Diego Region have been subject to the requirements of conditional waivers since the adoption of Resolution No. 83-21 by the San Diego Water Board in 1983. In preparation for the adoption of Resolution No. 83-21, San Diego Water Board, acting as the Lead Agency for the project, developed an Initial Study and adopted a Negative Declaration concurrently with the Resolution No. 83-21.

Chaptered into law in 1999, Senate Bill 390 (SB-390) amended Water Code sections 13269 and 13350, requiring all waivers of WDRs issued by the State Water Resources Control Board (State Water Board) or Regional Water Quality Control Boards not exceed five years in duration. Waivers can, be renewed for a period of five years or replaced with individual or general WDRs. Waivers must be conditional and the State or Regional Water Boards can include as a condition the payment of an annual fee. In compliance with section 13269, the San Diego Water Board adopted Resolution No. R9-2002-0186,³ renewing the waivers with conditions, and amending Chapter 4 (Implementation) of the Basin Plan to incorporate the conditional waivers.

In 2007, after a period of five years, the San Diego Water Board adopted Resolution No. R9-2007-0104, renewing the conditional waivers in accordance with Water Code section 13269.

The State and Regional Water Boards' basin planning process has been approved by, the Resources Agency as a "certified regulatory program" that adequately satisfies the CEQA⁴ requirements for preparing environmental documents.⁵ As such, the documents supporting the San Diego Water Board's 2007 Basin Plan amendment to put its conditional waivers in Chapter 4 of the Basin Plan contained the environmental documentation, including an environmental checklist, required under the CEQA, and served as "substitute documents" [Calif. Code Regs. title 23 section 3777], for a Tier 1 environmental review under CEQA, pursuant to Public Resources Code section 21159 and Calif. Code Regs. title 14 section 15187.

² Public Resources Code section 21000 et seq.

³ Resolution No. R9-2002-0186, *Amendment to the Water Quality Control Plan for the San Diego Region (9) to Incorporate a Waste Discharge Requirement Policy for Certain Specific Types of Discharges, adopted in September 2002.*

⁴ Public Resources Code section 21080.5

⁵ California Code of Regulations Title (Calif. Code Regs. title) 14 section 15251(g) and title 23 section 3782.

Description of the Proposed Activity:

The Conditional Waivers General Order will:

- revise and renew the following conditional waivers,⁶ which expired in February 2014:
 - Discharges from On-Site Disposal Systems;
 - “Low-Threat” Discharges to Land;
 - Discharges from Animal Operations;
 - Discharges from Silvicultural Operations;
 - Discharges of Recycled Water to Lands;
 - Discharges of Solid Waste to Land;
 - Discharges of Slurries to Land;
 - Discharge of Emergency/Disaster Related Wastes; and
 - Aerially Discharged Wastes Overland
- incorporate an existing conditional waiver for Discharges from Aquatic Animal Production Facilities; and
- incorporate new conditional waivers for:
 - Discharge of Winery Washwater to Lined Evaporation Ponds at Small Wineries; and
 - Discharges of Waste to Lands at Composting Facilities.

The Conditional Waivers General Order will:

- reorganize the conditional waivers by grouping the specific types of discharge into discharge classifications;
- provide general waiver conditions applicable to a discharge or discharge operation or all specific types of discharge within a discharge classification; and
- provide specific waiver conditions for each specific types of discharge within a discharge classification, if applicable.

The proposed Conditional Waivers General Order will be issued in accordance with the provisions of Water Code sections 13260, 13263, and 13264 et seq., and in accordance with the State Water Boards’ Administrative Procedures Manual. As such, the conditional waivers contained within the Conditional Waivers General Order would not be subject to review for a period not less than 5 years. Once adopted, a conditional waiver can be terminated for a specific type of discharge or specific discharge if the discharge is no longer in the public interest or does not comply with the water quality standards in the Basin Plan, or as deemed necessary by the San Diego Water Board.

⁶ Adopted by Resolution No. R9-2007-0104,
http://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/2007/2007_0104.pdf

Analysis of Impacts of the Discharges and Reasonably Foreseeable Methods of Compliance:

This section identifies the potential impacts of the discharges regulated by the Conditional Waivers General Order, and a range of reasonably foreseeable method(s) of compliance with the Conditional Waivers General Order.

Discharges covered under the Conditional Waivers General Order consist of storm water run on and runoff, wastes, and wastewaters, and can affect water quality by transporting pollutants such as pesticides, sediment, nutrients, salts, pathogens, and heavy metals, to waters of the State. Many regional surface water bodies are impaired by those pollutants to the point where water is unsuitable for municipal or domestic supply, and ecosystems are unhealthy. Groundwater bodies have suffered pesticide, nitrate, and salt contamination.

The most reasonably foreseeable methods that a discharger may utilize to mitigate the potential impacts to water quality from types of discharges identified in this document, and comply with the requirements prescribed in the Conditional Waivers General Order are to implement MMs and structural and non-structural BMPs at their facilities or operations. Typical non-structural and structural controls are described below.

Non-structural Controls: Non-structural controls typically are aimed at controlling sources of a pollutant and generally do not involve new construction. Because the types of discharges to be regulated under the Conditional Waivers General Order are not expected to pose a significant threat to the environment, non-structural controls are expected to be the first methods to be utilized by the dischargers. No potentially significant adverse impacts on the environment were identified for these controls.

- *Proper Waste Management:* Proper management of where and how wastes are discharged will minimize or eliminate the potential for erosion and pollutants to impact waters of the State. Proper waste management can include, but is not limited to, moving and/or discharging wastes to areas with adequate distance from surface waters and groundwater, ensuring the waste discharge area will minimize or eliminate the discharge of runoff to waters of the State, or ensure waste is not exposed to surface runoff that can transport pollutants (via overland flow or infiltration) to waters of the State. Proper waste management also includes complying with local, State, and federal ordinances and regulations and obtaining any required approvals, permits, certifications, and/or licenses from authorized local agencies.
- *Facility Inspection and Maintenance:* Conducting regular inspections of facilities will identify potential sources of pollutants and locations where discharged wastes may potentially impact waters of the State. Routine inspection and maintenance is an efficient way to prevent potential nuisances such as odors, mosquitoes, weeds, etc., to minimize or eliminate the potential for erosion and pollutants to impact waters of the State, and to reduce the need for repair maintenance.
- *Facility Management Plans:* For facilities that use any products such as fertilizers or pesticides or discharge any wastes on site, adopting a facility management plan will ensure that products and wastes are stored, used, and disposed of in ways that minimize exposure to storm water or surface runoff that can transport pollutants to waters of the State. Products and some wastes like compost and plant crop residues, when used

properly, may also reduce surface runoff and runoff velocity, which can reduce or eliminate erosion and discharges of pollutants to waters of the State.

- *Design, Sizing and Location of Facilities:* Properly designed, sized, and sited facilities will minimize or eliminate the potential for pollutants to impact surface waters or groundwater.
- *Education:* Educating facility owners and operators on the Conditional Waivers General Order and its discharge specifications, on potential sources of pollutants at their facility, and on methods that may be implemented to comply with the Conditional Waiver General Order can help eliminate the potential for pollutants to reach and impact waters of the State.

Structural Controls: Structural controls may be utilized to divert, store, and/or treat discharges of waste. The construction and operation of structural controls can involve activities that can potentially impact the environment. These activities, however, are expected to have less than significant impacts on the environment for reasons explained in the checklist.

- *Buffer Strips and Vegetated Swales:* Construct and/or maintain vegetative buffer strips around and within a facility to slow surface runoff velocity, filter pollutants, and increase surface runoff infiltration.
- *Infiltration Trenches:* Construct and maintain infiltration trenches designed to capture and naturally filter surface runoff.
- *Diversion and Containment Systems:* Install diversion and containment systems to capture surface runoff and/or prevent discharge of pollutants. Surface runoff may be diverted and contained for reuse on site, or it may be diverted to wastewater collection plants for treatment. Diversion and containment systems consist of berms, roofs, liners, or enclosures to drain surface runoff away from discharged wastes, capture runoff from discharged wastes, and/or contain and isolate other wastes.

F. ENVIRONMENTAL IMPACTS:

This project may potentially affect the following checked environmental factors. See the checklist on the following pages for more details.

- | | |
|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Energy and Mineral Resources |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Utilities/Service Systems |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Section 1. **AESTHETICS.** Would the project:

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

DISCUSSION

- a) **No impact.** Reasonably foreseeable and properly implemented non-structural and/or structural controls would not be of the size or scale that would result in the obstruction of the view of a scenic vista, substantially damage scenic resources, degrade the existing visual character or quality of a site or its surroundings, or create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.
- b) **No impact.** See response to section F.1.a above.
- c) **No Impact.** See response to section F.1.a above.
- d) **No Impact.** See response to section F.1.a above.

Section 2. AGRICULTURAL AND FOREST 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping & Monitoring Program of the California Resources Agency, to non-agricultural uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land [as defined in PRC section 12220(g)] or timberland (as defined by PRC section 4526)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **Impact.** Reasonably foreseeable and properly implemented non-structural and/or structural controls would not be of the size or scale that would result in conversion of farmland to non-agricultural uses.
- b) **No Impact.** Reasonably foreseeable and properly implemented non-structural and/or structural controls would not be of the size or scale to affect zoning designations established by local land use jurisdictions.
- c) **No Impact.** See response to section F.2.b above.
- d) **No Impact.** Reasonably foreseeable and properly implemented non-structural and/or structural controls would not be of the size or scale that would result in conversion of Farmland to non-agricultural use, or conversion of forest land to non-forest use.
- e) **No Impact.** Reasonably foreseeable and properly implemented non-structural and/or structural controls would not be of the size or scale that would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Section 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:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in obstruction of an applicable air quality plan.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in substantial air emissions or deterioration of air quality, or result in obstruction of an applicable air quality plan.
- c) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in substantial air emissions or deterioration of air quality, or result in exposure of sensitive receptors to substantial pollutant concentrations.

- d) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in substantial air emissions or deterioration of air quality, or result in a considerable net increase of any criteria pollutants.
- e) **Less than Significant.** Construction and installation of structural controls may result in objectionable odors in the short-term due to exhaust from construction equipment and vehicles, but no more so than during typical construction activities currently performed. Structural controls may be a source of objectionable odors if structural control designs allow for water stagnation or collection of water with sulfur-containing compounds. Storm water runoff is not likely to include sulfur-containing compounds, but stagnant water could create objectionable odors. However, reasonably foreseeable structural controls are not expected to be on a scale large enough that would result in the significant creation of objectionable odors.

Section 4. **BIOLOGICAL RESOURCES.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (DFW) or United States Fish and Wildlife Service (USFWS)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 DFW or USFWS? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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, <i>etc.</i>) through direct removal, filling, hydrological interruption or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **Less than Significant.** Implementing non-structural controls will not directly result in 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 DFW or USFWS, because the controls would not introduce any physical effects that could impact these characteristics. However, the reduction or elimination of nuisance flows could result in change in the diversity of species, or numbers of any species, due to a reduction of dry weather flows that could eliminate in-stream habitats dependent on those flows. This would return dry weather flows in the watersheds to a more natural, pre-development condition. Species that thrived in the creeks in the absence of nuisance flows should not be adversely impacted by habitat changes if the flows are eliminated. Impeding the propagation of invasive species is not an adverse impact.

The installation of structural controls such as vegetated swales or buffer strips could increase the diversity or number of species, which is beneficial by creating habitat for those species. Structural controls could also divert, or reduce storm water runoff discharge, which could decrease the number and/or diversity of species within the stream channels by eliminating habitat dependent on those flows. However, native communities of species can thrive under lower stream flow conditions than what currently exist. Projects that may implement structural controls to comply with the waiver conditions are not expected to be of the size or scale that could result in change in a significantly adverse change in diversity of species, or numbers of any species.

The conditional waiver for Discharges/Disposal of Solid Waste to Land (Solid Waste Waiver) addressing soils characterized as inert from known contaminated sites, could potentially affect animal receptors by allowing the use of soils with elevated concentrations of metals. However, the Solid Waste Waiver itself does not induce or approve a project where soils are going to be excavated or removed. A project, and any associated excavation and removal of soil for a project, may only occur after the project itself undergoes any necessary CEQA analysis or obtains any other necessary permits (e.g., clearing and grading permits or permits under the Federal Clean Water Act) to the extent required.

Additionally, while the Solid Waste Waiver allows the reuse of certain soils, the placement of the soil may similarly only occur in association with another project that also has undergone the CEQA process (if necessary) and received and obtained any other necessary permits (i.e., grading permits, etc.). Also, it is the expectation that both projects (the site excavating the soil and the site receiving the soil) will follow all regulations requiring the implementation of BMPs to avoid storm water runoff.

Inert waste soils that can meet the Tier 1 Soil Screening Levels of the Solid Waste Waiver proposes to allow the reuse of soil that contains metals at concentrations equal to or less than concentrations that occur naturally in the soil in San Diego County. Therefore, any soil that is reused under the Solid Waste Waiver will not create soil conditions significantly different from naturally occurring conditions that exist today. Inert waste soils that can meet the Tier 2 Soil Screening Levels of the Solid Waste Waiver proposes to allow the reuse of soil at levels in cases above ecological screening levels or higher than naturally occurring levels, but soil reused under Tier 2 may only be used in commercial or industrial areas, will be placed at least 2 feet below a protective cover, 5 feet above groundwater, and 100 feet away from

surface water. Given these protective measures, this waiver has a less than significant impact on animal life or species.

- b) **Less than Significant.** Implementing non-structural controls will not directly result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the DFW or USFWS because the controls would not introduce any physical effects that could impact these characteristics.

Depending on the type of discharge and/or structural controls selected, direct or indirect impacts to special-status plant species may occur during and after the waste discharge and/or construction of structural controls. However, when the specific projects are developed and sites identified, a focused protocol plant survey and/or a search of the California Natural Diversity Database should be performed to confirm that any potentially sensitive or special status species in the site area are properly identified and protected as necessary. If sensitive species occur on the project site, mitigation is required in accordance with the Endangered Species Act. Mitigation measures should be developed in consultation with the DFW and USFWS. Therefore, if a discharger chooses to implement structural controls, they can and should avoid affecting habitat that is vital for the survival of any unique, rare, or endangered species. Projects that may implement structural controls to comply with the waiver conditions are not expected to be of the size or scale that could result in a significant adverse effect on any riparian habitat or sensitive natural community.

The conditional waiver for Discharges/Disposal of Solid Waste to Land (Solid Waste Waiver) addressing soils characterized as inert from known contaminated sites could potentially affect plant life by allowing the use of soils with elevated concentrations of metals. However, the Solid Waste Waiver itself does not induce or approve a project where soils are going to be excavated, removed or reused. Inert waste soils that can meet the Tier 1 Soil Screening Levels of the Solid Waste Waiver proposes to allow the reuse of soil that contains metals at concentration levels equal to or less than concentrations that occur naturally in the soil in San Diego County. Therefore, any soil that is reused under the Solid Waste Waiver will not create soil conditions significantly different from naturally occurring conditions. Inert waste soils that can meet the Tier 2 Soil Screening Levels of the Solid Waste Waiver proposes to allow the reuse of soil at levels in some cases above ecological screening levels or higher than naturally occurring levels, but soil reused under Tier 2 may only be used in commercial or industrial areas, will be placed at least 2 feet below a protective cover, 5 feet above groundwater, and 100 feet away from surface water. For this reason, any soil reused under the Solid Waste Waiver should not create any impact resulting in the reduction of the numbers of any unique, rare or endangered species of plants.

- c) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in direct removal or filling of riparian habitat, wetlands, or any sensitive natural communities.
- d) **Less than Significant.** Implementing non-structural controls will not 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 because the controls would not introduce any physical effects that could impact these characteristics. However, the reduction or elimination of nuisance flows could result in a

barrier to the migration or movement of animals especially in the dry weather season by eliminating habitat dependent on those flows. This would cause dry weather flows to return to a more natural, pre-development condition. Animal species that thrived in the creek and stream channels in the absence of nuisance flows should not be adversely impacted by habitat changes if the flows are eliminated. Impeding the propagation of invasive species is not an adverse impact.

Implementing structural controls would not foreseeably introduce new species. Construction of reasonably foreseeable structural controls likely would not restrict wildlife movement because the sizes of structural controls are generally too small to obstruct a corridor. For terrestrial animals, corridors would be maintained regardless of stream flow since reduced flows would not provide physical barriers for these animals. In the event that any structural controls built, such as animal exclusions, that may impede some wildlife migration, fence gaps large enough to allow migrating wildlife to pass through could be included in the design. Projects that may implement structural controls to comply with the waiver conditions are not expected to be of the size or scale that could result in a significant introduction of new species of animals into an area, or in a barrier to the migration or movement of animals.

The conditional waiver for Discharges/Disposal of Solid Waste to Land (Solid Waste Waiver) addressing soils characterized as inert from known contaminated sites could potentially affect animal receptors by allowing the use of soils with elevated concentrations of metals. Inert waste soils that can meet the Tier 1 Soil Screening Levels of the Solid Waste Waiver proposes to allow the reuse of soil that contains metals at concentrations equal to or less than concentrations that occur naturally in the soil in San Diego County. Therefore, any soil that is reused under the Solid Waste Waiver will not create soil conditions significantly different from naturally occurring conditions that exist today. Inert waste soils that can meet the Tier 2 Soil Screening Levels of the Solid Waste Waiver proposes to allow the reuse of soil at levels in cases above ecological screening levels or higher than naturally occurring levels, but soil reused under Tier 2 may only be used in commercial or industrial areas, will be placed at least 2 feet below a protective cover, 5 feet above groundwater, and 100 feet away from surface water. For this reason, any soil reused under the Solid Waste Waiver should not create any impact resulting in the introduction of new species of animals into an area, or result in a barrier to the normal replenishment of existing species.

To the extent that soil is moved from one location to another under the Solid Waste Waiver, the Solid Waste Waiver alone does not induce or approve projects involving the excavation or import of soil. Such projects, and any associated excavation, removal, or import of soil for a project, may only occur after the project itself undergoes any necessary CEQA analysis or obtains any other necessary permits (e.g., clearing and grading permits or permits under the Federal Clean Water Act) to the extent required. Therefore, the relocation of the soil itself will be evaluated under a separate CEQA evaluation when required.

- e) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f) **No Impact.** See responses to sections F.4.a through F.4.e above.

Section 5. **CULTURAL RESOURCES.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Calif. Code Regs. title 14 section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource as defined in Calif. Code Regs. title 14 section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in a substantial adverse change in the significance of a historical or archaeological resource, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or disturb any human remains.
- b) **No Impact.** See response to section F.5.a above.
- c) **No Impact.** See response to section F.5.a above.
- d) **No Impact.** See response to section F.5.a above.

Section 6. **GEOLOGY and SOILS.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated 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 No. 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternate wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in exposure of people or structures to geologic hazards because none of these controls would result in earth moving activities. This also response applies to sub-issue sections F.6.a.i through F.6.a.iv.
- b) **Less than Significant Impact.** Reasonably foreseeable non-structural controls are not expected to be on a large enough scale that would result in increase in wind or water erosion of soils, either on or off site because none of the non-structural controls would result in increased surface runoff discharge, or in exposing soils to erosion by wind and water.
- Depending on the structural controls selected, the proposal may result in minor soil excavation during construction of structural controls. However, construction related erosion impacts will cease with the cessation of construction. Wind or water erosion of soils may occur as a potential short-term impact. Typical established MMs/BMPs should be used during implementation to minimize offsite sediment runoff or deposition. Construction sites are required to retain sediment on site, both under general construction storm water WDRs and through the construction program of the applicable MS4 WDRs; both of which are already designed to minimize or eliminate erosion impacts on receiving waters. Projects that may implement structural controls to comply with the waiver conditions are not expected to be of the size or scale that could result in significant erosion of soils, either on or off the site.
- c) **No Impact.** Reasonably foreseeable non-structural and/or structural controls will not be located in unstable geologic units and are not expected to be on a scale large to potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. In addition, see response to section F.6.a above.
- d) **No Impact.** Reasonably foreseeable non-structural and/or structure controls will not be located in unstable geologic units and are not expected to be on a scale large to potentially result in loss of life or property resulting from soil expansion. In addition, see response to section F.6.a above.
- e) **No Impact.** Reasonably foreseeable non-structural and/or structural controls will not have any effect on siting of septic tanks or alternate wastewater disposal systems. Any projects seeking enrollment in the conditional waiver for onsite graywater systems must meet applicable county design and siting criteria, and obtain all required permits from the appropriate Local County or City Agency.

Section 7. **GREENHOUSE GAS EMISSIONS.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a) **Less than Significant Impact.** Construction and installation of structural controls may result in generation of greenhouse gases in the short-term due to exhaust from construction equipment and vehicles, but no more so than during typical construction activities currently performed. These reasonably foreseeable structural controls, however, are not expected to be on a scale large enough that would result in the significant generation of greenhouse gases.
- b) **Less than Significant Impact.** Reasonably foreseeable non-structural and/or structural controls are not expected to be on a scale large enough that would result in conflict with any applicable plan, policy or agency adopted regulation for the purpose of reducing the emissions of greenhouse gases.

Section 8. **HAZARDS and HAZARDOUS MATERIALS.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and structural controls are not expected to be of a large enough scale that would create a significant hazard to the environment from transport or disposal of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation).
- b) **No Impact.** Reasonably foreseeable non-structural and structural controls will not result in a release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) as a result of a reasonably foreseeable upset or accident conditions. The reasonably foreseeable non-structural and structural BMPs included in this evaluation would not be subject to the release of hazardous substances in the event of an accident because these types of substances would not be present.
- c) **No Impact.** Reasonably foreseeable non-structural and structural controls will not involve emission or handling of hazardous substances or waste. In addition the waiver conditions would not induce a project that would involve emission or generation of hazardous wastes. However, individual projects would also have to prepare a separate CEQA analysis which must evaluate impacts from hazards and hazardous materials, and obtain any necessary permits from the appropriate public or government agencies.
- d) **No Impact.** Reasonably foreseeable non-structural or structural controls will not result in a safety hazard to people working or residing within an area within an airport land use area, two miles of an airport, or a private airstrip. In addition the waiver conditions would not induce a project that would be located within an airport land use plan. However, individual projects would also have to prepare a separate CEQA analysis which must evaluate impacts from hazards and hazardous materials, and obtain any necessary permits from the appropriate public or government agencies.
- e) **No Impact.** See response to section F.8.d above.
- f) **No Impact.** See response to section F.8.d above.

Section 9. **HYDROLOGY and WATER QUALITY.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

9. HYDROLOGY and WATER QUALITY (continued). Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| h) Place housing within a 100-year flood hazard area structures which would impede or redirect flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **Less than Significant Impact.** Non-structural and/or structural controls that promote or utilize infiltration of surface runoff may locally increase the quantity and/or minimally degrade the quality of groundwaters. The increase in localized quantity of surface runoff is unlikely to have any adverse effects since, under pre-development conditions, infiltration rates of storm water runoff to groundwater were most likely much higher than they are today due to the absence of hardscapes. Additionally, non-structural and/or structural controls are not expected to significantly degrade groundwater because the types of discharge, if discharged in accordance with the waiver conditions, would not pose a threat to the quality or beneficial uses of waters of the State.
- b) **No Impact.** Non-structural and/or structural controls that promote or utilize infiltration of surface runoff may increase the quantity of groundwaters. The increase in quantity is unlikely to have any adverse effects since, under pre-development conditions, infiltration rates of storm water runoff to groundwater were most likely much higher than they are today due to the absence of hardscapes.
- c) **No Impact.** Non-structural controls would not be of the size or scale to result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff because none of these controls would introduce any physical effects that could impact these characteristics.
- d) **Less than Significant Impact.** Non-structural controls would not result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff because none of these controls would introduce any physical effects that could impact these characteristics.

Depending on the structural controls selected, absorption rates, drainage patterns, and surface water runoff resulting in flooding on- or off-site may change. Grading and excavation during construction and installation of structural controls could result in alterations in absorption rates, drainage patterns, and surface water runoff. Several types of structural controls collect and/or inhibit surface water runoff flow, which would likely alter drainage patterns, and also decrease the rate and amount of surface water runoff. For example, structural controls such as buffer strips would change drainage patterns by increasing absorption rates, which would reduce the amount of surface water runoff to creeks. If surface water runoff is diverted to wastewater treatment facilities, thereby reducing the overall flow, the erosion and scour that would normally be caused in the streams by surface water runoff would be reduced. The amount of flow within the stream channel may change; however, the channelized drainage pattern would remain essentially unchanged. Projects that may implement structural controls to comply with the waiver conditions are not expected to be of the size or scale that could result in significant changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff.

- e) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- f) **Less than Significant.** See response to section F.9.a above.
- g) **No Impact.** The project does not entail construction of new housing. The waiver conditions will also not induce or approve construction of new housing. Any housing or construction project would have to prepare a separate project level CEQA analysis for the construction project which must evaluate impacts to hydrology and water quality, and obtain any necessary permits from the appropriate public or government agencies (e.g., building permits, clearing and grading permits, or permits under the Federal Clean Water Act, etc) to the extent required.
- h) **No Impact.** Reasonably foreseeable structural controls are not expected to be of the size or scale that would place housing in a 100-year flood hazard area. In addition see response to section F.9.g above.
- i) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to result in exposure of people or property to water related hazards such as flooding.
- j) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to result in exposure of people or property to water related hazards such as inundation by seiche, tsunami, or mudflow.

Section 10. **LAND USE AND PLANNING.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to result in physical division of a community.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to result in conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.
- c) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to result in Conflict with any applicable habitat conservation plan or natural community conservation plan.

Section 11. **MINERAL RESOURCES.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to result in loss of availability of a known mineral resource.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale to result in loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

Section 12. **NOISE.** Would the project result in:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing in or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Non-structural controls would not result in 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. None of these controls would introduce any physical effects that could impact these characteristics.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not result in exposure to, or generation of, excessive groundborne vibration or groundborne noise levels

because the controls would not introduce any physical effects that could impact these characteristics.

- c) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not result in a substantial permanent increase in ambient noise levels in the project vicinity because the controls would not introduce any physical effects that could impact these characteristics.
- d) **Less than Significant Impact.** The construction and installation of structural controls could result in minimal temporary increases in existing noise levels, but this would be short term and only exist until construction is completed. Therefore, this noise impact is less than significant.
- e) **Less than Significant Impact.** Reasonably foreseeable non-structural and/or structural controls would not expose people residing in or working in the project area to excessive noise levels because the controls would not introduce any physical effects that could impact these characteristics.

The construction and installation of structural controls would result in temporary increases in existing noise levels, but this would be short term and only exist until construction is completed. Therefore, this noise impact is less than significant.

- f) **Less than Significant Impact.** See response to section F.12.e above.

Section 13. **POPULATION AND HOUSING.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would alter the location, distribution, density, or growth rate of the human population of an area.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would displace substantial numbers of people or housing necessitating the construction of replacement housing elsewhere.
- c) **No Impact.** See response to section F.13.b above.

Section 14. **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:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in a need for new or altered fire protection services, police protection services, schools, parks, or other public facilities.
- b) **No Impact.** See response to section F.14.a above.
- c) **No Impact.** See response to section F.14.a above.
- d) **No Impact.** See response to section F.14.a above.
- e) **No Impact.** See response to section F.14.a above.

Section 15. **RECREATION.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in an increase in use of existing neighborhood and regional parks or other recreational facilities; nor would the controls be of the size or scale to cause substantial physical deterioration of recreational facilities because need for new or altered fire protection services, police protection services, schools, parks, or other public facilities.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would include or require construction or expansion of recreational facilities.

Section 16. **TRANSPORTATION / TRAFFIC.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in exceeding capacity of the existing circulation system.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in conflict with an applicable congestion management plan.
- c) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in a change to air traffic patterns, or alterations to air traffic.
- d) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in substantial increase in hazards due to a design feature due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- e) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in inadequate emergency access.
- f) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in a conflict with adopted policies, plans, or programs supporting alternative transportation.

Section 17. **UTILITIES AND SERVICE SYSTEMS.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION

- a) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- b) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in a need for wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts. However, construction of new water reclamation plants, or expansion of existing water reclamation plants, may result in recycled water discharges for irrigation, which may be regulated by adopted waste discharge or reclamation requirements, or conditional waiver of waste discharge requirements provided they meet the conditions of the conditional waiver for Discharges of Recycled Water to Land (Recycled Water Waiver). Recycled water discharges that meet the conditions for the Recycled Water Waiver will have a less than significant impact on the environment.
- c) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in the construction of new storm water drainage facilities or expansion of existing facilities.
- d) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in a substantial increase in water use, or result in the need for new or substantial alterations to water supplies.
- e) **No Impact.** See response to section F.17.b above.
- f) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in a construction of new landfills or expansion of existing landfills.
- g) **No Impact.** Reasonably foreseeable non-structural and/or structural controls would not be of the size or scale that would result in violation of federal, state, and local statutes related to solid waste.

Section 18. **MANDATORY FINDINGS OF SIGNIFICANCE.** Would the project:

| Issues (and Supporting Information Sources): | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION

a) **Less than Significant Impact.** As discussed above in the Biological Resources section F.4 of this Initial Study, plant and animal species could potentially be affected due to the reduction or elimination of nuisance flows, especially in the dry weather season. However, projects that may implement non-structural and/or structural controls to comply with the waiver conditions are not expected to be of the size or scale that could result in significant changes that could have an adverse effect on native plant and animal species. In addition, individual projects would also have to prepare a separate project level CEQA analysis that must evaluate impacts to biological resources, and obtain any necessary permits from the appropriate public or government agencies.

- b) **Less than Significant Impact.** Cumulative impacts, defined in Cal. Code Regs. title 14 section 15355 (i.e., CEQA Guidelines), refer to two or more individual effects, that when considered together, are considerable or that increase other environmental impacts. Cumulative impacts associated with complying with the conditional waivers and other water quality control programs are expected to be less than significant, because effective non-structural controls are not expected to have any adverse impacts, and will most likely be an initial strategy for complying with the waiver conditions.

The dischargers may opt to use structural controls to minimize or eliminate erosion and the transport of pollutants to the waters of the State, which would increase the likelihood of potential impacts to the environment that are cumulatively considerable. Present and future specific projects and other construction activities may result in short-term cumulative impacts. The construction of structural controls, along with other construction and maintenance projects, could have short-term cumulative effects. However, these effects are not cumulatively considerable in the long-term because the effects will cease with the completion of construction.

If the dischargers comply with the waiver conditions, any potential impacts on the environment will be less than significant. Additionally, projects that may implement non-structural and/or structural controls to comply with the waiver conditions are not expected to be of the size or scale that could result in any significant impacts on the environment, even when considered cumulatively.

- c) **Less than Significant Impact.** Reasonably foreseeable and properly implemented non-structural and/or structural controls would not be of a size or scale that would cause substantial adverse effects on human beings, either directly or indirectly.

However, there is the possibility that the new types of discharge proposed for a conditional waiver could potentially discharge wastes with contaminants or pollutants that could expose people to potential health hazards. However, if the dischargers comply with the waiver conditions for these new types of waste discharge, the potential impact on the environment and human health will be less than significant. Dischargers do not comply with waiver conditions would not be eligible for a conditional waiver.

G. DETERMINATION

On the basis of this initial evaluation:

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <p>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</p> |
| <input type="checkbox"/> | <p>I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.</p> |
| <input type="checkbox"/> | <p>I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</p> |
| <input type="checkbox"/> | <p>I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</p> |
| <input type="checkbox"/> | <p>I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.</p> |

Prepared By:

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 Groundwater Protection Branch

Date: TENTATIVE