

CEQA Scoping Meeting

Tijuana River and Estuary Sediment and Trash TMDLs

January 20, 2011



Purpose of CEQA Scoping Meeting

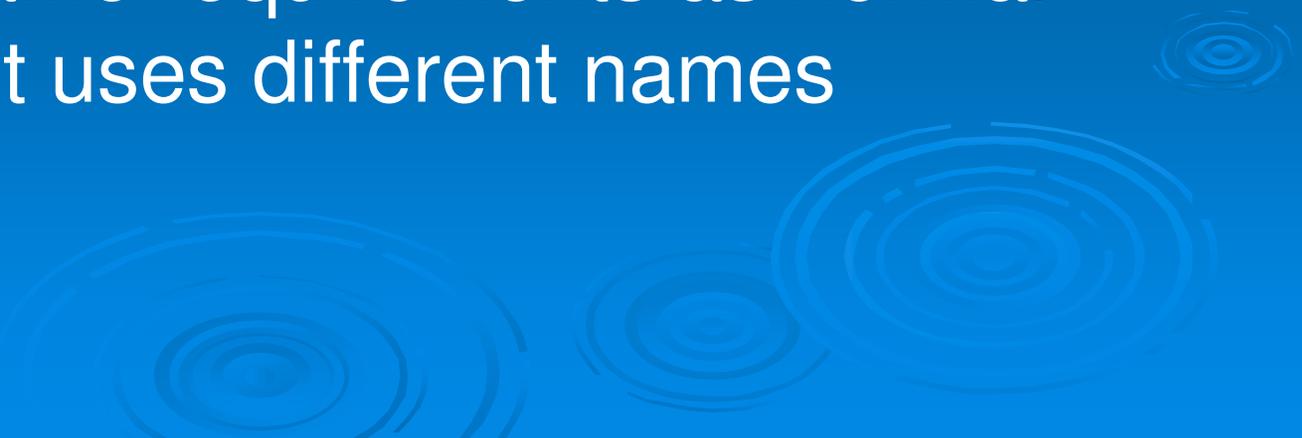
➤ To fulfill legal obligation

- CEQA statute: Public Resources Code §21000 et seq. (California Environmental Quality Act)
- CEQA Guidelines: 14 CCR §15000 et seq.
- SWRCB implementation regulations: 23 CCR §3720 et seq.
- Updated statute, guidelines, caselaw, other info: <http://www.ceres.ca.gov/ceqa>

Purpose of CEQA Scoping Meeting

- To provide opportunity for agencies and public to review the proposed project, identify issues and suggest actions early in the process

Certified Regulatory Programs

- Water Board's Basin Planning Process has been Certified by Secretary of the Resources Agency as CRP
 - Certified as "functional equivalent" process to normal CEQA process
 - Includes same requirements as normal process but uses different names
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Substitute Environmental Documents (SED)

➤ Includes

- Basin Plan amendment
- Supporting Staff Report
- Checklist/environmental analysis
- Comments
- Responses
- Resolution

Purpose of CEQA Analysis

- Evaluate proposed project
 - Environmental impacts
 - Alternatives to project
 - Mitigation measures for impacts
- Ensure Public Disclosure and Participation

Definition of “Project” Under CEQA

- The whole of the “action” and all foreseeable methods of compliance
 - Regulatory action by Water Board (TMDL/BPA) AND
 - Foreseeable methods of compliance by responsible parties

Required to Evaluate both...

- Regulatory action and
- Means of compliance with regulatory action



Evaluate Regulatory Action

- Alternatives
- Impacts
- Mitigation Measures



Alternatives to TMDL/BPA

- No Action
- Single Water Board Action Alternatives
 - Adopt Permit (NPDES, WDR)
 - Issue Conditional Waiver
 - Adopt Discharge Prohibition
 - Issue Enforcement Orders
- Certify Third Party Implementation Plan (Non-regulatory)

Select Alternative That...

- Meets all project objectives
 - Reduce trash and sediment
 - Achieve water quality standards
- Has least environmental impact



Evaluate Reasonably Foreseeable Methods of Compliance

- Alternatives
- Impacts
- Mitigation Measures



Alternative Compliance Methods

- Design/Install Sediment Basins (US & Mexico)
- Design/Install Trash Capture Devices
- Conduct Trash Cleanup in Urban Tijuana Watersheds
- Implement Source Control Measures



For Each Alternative

- Identify Impacts
- Identify Mitigation Measures



CEQA Scoping Environmental Impacts

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology & Soils
- Hazards & Hazardous Materials
- Hydrology & Water Quality**
- Land Use & Planning
- Mineral Resources
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities & Service Systems
- Greenhouse Gases

For Example...



Install & Maintain Sediment Basins

➤ Environmental Impacts

- Water quality impacts from construction and maintenance
- Air pollution from construction & maintenance
 - Greenhouse gas emission
- Noise pollution
- Loss of habitat
- Direct damage to aquatic life & ecosystem
 - Temporary due to construction

Install & Maintain Sediment Basins

➤ Mitigation Measures

- Erosion control
- Timing/season of operation
- Create equivalent/compensatory habitat
- Create market for usable sediment



Select Alternative That...

- Meets all regulatory requirements
 - Reduce trash and sediment
 - Achieve water quality standards
- Has least environmental impact



“Program” Vs. “Project” Level CEQA Analysis

- We Do Program Level CEQA Analysis (Now)
 - Big Picture, High Altitude Perspective
 - Considers broad range of foreseeable compliance methods
- Responsible Party Does Project Level Analysis (Later)
 - Specific to the selected project

Your Comments Requested on...

- Methods the responsible parties would foreseeably use to comply with the TMDLs;
- Reasonably foreseeable significant environmental impacts associated with those means of compliance;
- Reasonable alternative means of compliance that would have less significant adverse environmental impacts;
- Reasonable mitigation measures that would minimize any unavoidable significant adverse environmental impacts associated with the means of compliance.

Comments

- Written comments will be accepted until February 3, 2011 at 5:00 pm
- Submit written comments to:
 - By mail: Mr. Charles Cheng
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9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340
 - By fax: (858) 571-6972
 - By email: ccheng@waterboards.ca.gov