

ENVIRONMENTAL CHECKLIST

AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS MAKE A DETERMINATION THAT CERTAIN BENEFICIAL USES ARE NOT APPLICABLE IN AND ESTABLISH WATER QUALITY OBJECTIVES FOR SULPHUR CREEK

California Environmental Quality Act Requirements

As the Lead Agency for evaluating environmental impacts of changes to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan), the Central Valley Regional Water Quality Control Board (Regional Water Board) is responsible for reviewing proposed changes and complying with requirements of the California Environmental Quality Act (CEQA). Public Resources Code (PRC) § 21000 et seq.) The Secretary of Resources has certified the planning process for Basin Plans as a regulatory program pursuant to PRC § 21080.5 and CEQA Guidelines § 15251(g). This certification means basin planning is exempt from CEQA provisions that relate to preparing Environmental Impact Reports and Negative Declarations. This document satisfies the requirements of State Board Regulations for Implementation of CEQA, Exempt Regulatory Programs, which are found in the California Code of Regulations, Title 23, Division 3, Chapter 27, Article 6, beginning with Section 3775.

The State Water Board regulations titled "Implementation of the Environmental Quality Act of 1970" describe the environmental documents required for planning actions. These documents include a written report (staff report), an initial draft of the amendment, and an Environmental Checklist Form. The documents must include either alternatives to the activity and mitigation measures to reduce any significant or potentially significant effect that the project may have on the environment or a statement that the project would not have a significant impact on the environment.

The following checklist was prepared in compliance with this requirement and to assist in identifying potential impacts and outlining mitigation measures. Findings of the checklist are discussed in greater detail following the checklist.

I. Project title:

Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to Determine Certain Beneficial Uses are not Applicable and Establish Water Quality Objectives for Sulphur Creek

II. Lead agency name and address:

Central Valley Regional Water Quality Control Board
11020 Sun Center Drive # 200
Rancho Cordova, CA 95670-6114

III. Contact persons and phone number:

Patrick Morris (916) 464-4621
Karen Larsen (916) 464-4646

IV. Project location:

Sulphur Creek, Colusa County, approximately two miles from Schoolhouse Canyon to its confluence with Bear Creek.

V. Project sponsor's name and address:

Central Valley Regional Water Quality Control Board
11020 Sun Center Drive # 200
Rancho Cordova, CA 95670-6114

VI. General plan designation:

Not applicable

VII. Zoning:

Not Applicable

VIII. Description of project:

This staff report proposes an amendment to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) to make a determination that certain beneficial uses are not applicable and establish site-specific water quality objectives for mercury in Sulphur Creek (Colusa County, CA), a tributary to Bear Creek in the Cache Creek watershed. Natural sources of mercury and salts make Sulphur Creek unsuitable for drinking and for habitat for aquatic life that is consumable by humans. The proposed amendment would recognize that the municipal and domestic supply (MUN) beneficial use and the human consumption of aquatic organisms do not exist and are not attainable in Sulphur Creek. The Basin Plan currently does not designate beneficial uses for Sulphur Creek.

Sulphur Creek does not support the MUN beneficial use or the human consumption of aquatic organisms. Naturally occurring concentrations of total suspended solids, mercury, and electrical conductivity exceed drinking water criteria and make Sulphur Creek unsuitable habitat for fish and consumable aquatic invertebrates. Total suspended solids and electrical conductivity also exceed the criteria in Resolution 88-63 for excepting the MUN beneficial use designation for surface and ground waters. These uses are not existing and cannot feasibly be attained in the future.

Because these uses do not exist and are not attainable, none of the promulgated water quality criteria for mercury apply, so staff proposes a site-specific water quality objective for mercury in Sulphur Creek based on natural background conditions. The site-specific objective will protect the beneficial uses of Sulphur Creek that existed prior to anthropogenic disturbance in the watershed. The implementation actions required to meet the proposed objective are described in the Sulphur Creek mercury total maximum daily load (TMDL). This amendment, along with the Sulphur Creek mercury TMDL, fulfills the US EPA requirements for a TMDL.

The implementation plan to reduce mercury loading in the Sulphur Creek watershed already underwent environmental review as part of the Cache Creek Watershed Basin

Plan Amendment and TMDL for control of mercury, which was adopted by the Regional Water Board in October 2005 and approved by the Office of Administrative Law in August 2006. For additional information, refer to the (1) *Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to De-designated Two Beneficial Uses of and Establish Water Quality Objectives for Sulphur Creek Staff Report*, (2) *Sulphur Creek TMDL for Mercury Staff Report* and the (3) *Cache Creek, Bear Creek, and Harley Gulch TMDL for Mercury Staff Report*.

IX. Surrounding land uses and setting: Briefly describe the project’s surroundings:

The region affected by this amendment is the Sulphur Creek watershed. Sulphur Creek drains a 6543-acre watershed within the Cache Creek watershed, in the Coast Range of California. Land uses within the watershed are predominantly rangeland in undeveloped chaparral and California scrub oak. The region has both public and private lands. For additional information, refer to the (1) *Amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Mercury in the Cache Creek Watershed Staff Report*, (2) *Cache Creek, Bear Creek, and Harley Gulch TMDL for Mercury Staff Report* and the (3) *Sulphur Creek TMDL for Mercury Staff Report*.

X. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

The State Water Resources Control Board, the Office of Administrative Law, and the U.S. Environmental Protection Agency must approve this amendment to the Basin Plan.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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| | 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 | | Mandatory Findings of Significance | | |

7.1 Determination

On the basis of this initial evaluation:

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| X | I find that the proposed Basin Plan Amendment COULD NOT have a significant effect on the environment. |
| | I find that although the proposed Basin Plan Amendment COULD have a significant effect on the environment, there will not be a significant effect in this case because feasible alternatives and/or feasible mitigation measures exist that would substantially lessen any significant impact. These alternatives are discussed in the attached written report. |
| | I find that the proposed Basin Plan Amendment MAY have a significant effect on the environment. There are no feasible alternatives and/or mitigation measures available which would substantially lessen any significant adverse impacts. See attached written report for a discussion of this determination. |

Signature

Date

Pamela C. Creedon, Executive Officer

Printed Name

7.2 Evaluation of Environmental Impacts

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program Environmental Impact Report (EIR), or other California Environmental Quality Act (CEQA) process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference

to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

7.3 Issues and Discussion

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | No IMPACT |
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| I. AESTHETICS -- Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | | | | X |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | | X |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | | | | X |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | | | | X |
| <p>The proposed project will establish that MUN and the human consumption of aquatic organisms are not applicable in Sulphur Creek from Schoolhouse Canyon to the mouth. These uses do not exist and cannot feasibly be attained for Sulphur Creek. The proposed action is not expected to impact aesthetic resources.</p> | | | | |

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | No IMPACT |
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| <p>II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</p> | | | | |
| <p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p> | | | | X |
| <p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p> | | | | X |
| <p>c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</p> | | | | X |
| <p>The agricultural supply (AGR) beneficial use is not being de-designated; therefore, it will continue to be protected from waste discharges and other controllable factors. As such, the proposed project is not expected to impact agricultural resources.</p> | | | | |
| <p>III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p> | | | | |
| <p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p> | | | | X |
| <p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p> | | | | X |

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | No IMPACT |
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| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? | | | | X |
| d) Expose sensitive receptors to substantial pollutant concentrations? | | | | X |
| e) Create objectionable odors affecting a substantial number of people? | | | | X |
| The proposed project is not expected to impact air quality. | | | | |
| IV. BIOLOGICAL RESOURCES – Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | X |
| b) Have 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 California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | X |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | | X |

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| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | | X |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | X |
| 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? | | | | X |

The Basin Plan amendment is not expected to impact biological resources.

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| V. CULTURAL RESOURCES -- Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? | | | | X |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? | | | | X |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | | X |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | | | | X |

The Basin Plan amendment is not expected to impact cultural resources.

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| VI. GEOLOGY AND SOILS -- Would the project: | | | | |
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| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | | X |
| ii) Strong seismic ground shaking? | | | | X |
| iii) Seismic-related ground failure, including liquefaction? | | | | X |
| iv) Landslides? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil? | | | | X |
| 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? | | | | X |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | | | | X |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | | | | X |
| The proposed Basin Plan amendment addresses water quality issues and will not directly impact local geology and soils. | | | | |

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | No IMPACT |
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| VII. HAZARDS AND HAZARDOUS MATERIALS Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | | X |
| 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? | | | | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | | X |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | | | | X |
| 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? | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | | X |

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| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | | X |
| The proposed Basin Plan amendment addresses water quality issues and is therefore not expected to impact hazards or hazardous materials. | | | | |
| VIII. HYDROLOGY AND WATER QUALITY -- Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | | | | X |
| 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)? | | | | X |
| 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? | | | | X |
| 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? | | | | X |

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | No IMPACT |
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| 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? | | | | X |
| f) Otherwise substantially degrade water quality? | | | | X |
| 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? | | | | X |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | | | | X |
| 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? | | | | X |
| j) Inundation by seiche, tsunami, or mudflow? | | | | X |
| The proposed Basin Plan amendment is not expected to cause adverse impacts to hydrology or water quality. | | | | |
| IX. LAND USE AND PLANNING - Would the project: | | | | |
| a) Physically divide an established community? | | | | X |
| 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? | | | | X |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | | | | X |

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The proposed project is not expected to impact any land use and/or land use plans.

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

The proposed project is not expected to impact mineral resources.

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| XI. NOISE Would the project result in: | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | | X |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | | X |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | | X |

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | No IMPACT |
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| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | | | | X |
| The proposed project is not expected to impact noise. | | | | |
| XII. POPULATION AND HOUSING -- Would the project: | | | | |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | | | | X |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | | X |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | | X |
| The proposed project is not expected to impact population and housing. | | | | |
| XIII. PUBLIC SERVICES | | | | |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | X |
| Fire protection? | | | | X |

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| Police protection? | | | | X |
| Schools? | | | | X |
| Parks? | | | | X |
| Other public facilities? | | | | X |

The proposed project is not expected to impact public services.

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| XIV. RECREATION -- | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | | X |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | | | | X |

The proposed project is not expected to impact recreation. Establishing that the human consumption of organisms do not apply in Sulphur Creek will not impact recreation because that use does not exist and is not attainable due to naturally high mercury and dissolved solids concentrations.

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| XV. TRANSPORTATION/TRAFFIC -- Would the project: | | | | |
| a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | | | | X |

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | No IMPACT |
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| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | | | | X |
| 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? | | | | X |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | | X |
| e) Result in inadequate emergency access? | | | | X |
| f) Result in inadequate parking capacity? | | | | X |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | | | | X |
| The proposed project is not likely to impact transportation or circulation. | | | | |
| XVI. UTILITIES AND SERVICE SYSTEMS | | | | |
| Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | | X |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | X |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | X |

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| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | | X |
| 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 projects projected demand in addition to the providers existing commitments? | | | | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs? | | | | X |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | | | | X |

Regional Water Board Staff have not identified any direct municipal and domestic supply use of water from Sulphur Creek since 1975. Staff has spoken with the management of the Wilbur Hot Springs Resort, which is the only permanently occupied residence in the watershed. The resort obtains drinking water from shallow groundwater wells on a ridge above Sulphur Creek. Therefore, no direct impacts to utilities and service systems are anticipated.

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| XVII. MANDATORY FINDINGS OF SIGNIFICANCE -- | | | | |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | | X |

| | POTENTIALLY SIGNIFICANT IMPACT | LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT |
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| 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)? | | | | X |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | | | | X |

The proposed Basin Plan amendment recognizes that the MUN beneficial use and the human consumption of aquatic organisms do not exist and cannot be attained in Sulphur Creek from Schoolhouse Canyon to the mouth. In addition, the amendment establishes site-specific water quality objectives for mercury in Sulphur Creek. The implementation plan to achieve the water quality objectives was evaluated and established in a separate action: the Cache Creek Watershed Mercury TMDL and Basin Plan Amendment. As such, the impacts of the implementation have already been evaluated and are not addressed here. There are no probable future changes in Central Valley Water Board programs that would lead to cumulatively significant impacts when combined with likely impacts from the proposed Basin Plan Amendment.