

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
ENVIRONMENTAL CHECKLIST AND ANALYSIS**

**Amendment to the  
California Regional Water Quality Control Plan for the  
Colorado River Basin Region (Basin Plan)  
to Prohibit Septic Tank Discharges  
in the Town of Yucca Valley**

**Introduction:**

The California Regional Water Quality Control Board, Colorado River Basin Region (hereafter Regional Water Board) is the Lead Agency under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.), responsible for evaluating the potential environmental impacts of the proposed amendment to the Water Quality Control Plan for the Colorado River Basin Region (hereafter Basin Plan). The proposed amendment will prohibit discharges of wastewater from septic tank subsurface disposal systems in specific areas in the Town of Yucca Valley, San Bernardino County. The objective of the amendment is to address the threat and actual impact that discharges of wastes from septic tank-subsurface disposal systems in the Town are having on ground water quality.

The California Secretary for Natural Resources has certified the Regional Water Boards' Basin Planning process as a "certified regulatory program" that adequately satisfies the requirements of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), including preparation of an Initial Study, Negative Declaration, and Environmental Impact Report (Pub. Resources Code, § 21080.5; Cal. Code Regs., tit. 14, § 15251(g)). Any such regulatory program certified by the Secretary, however, must satisfy certain documentation requirements for adoption or approval of amendments to the Basin Plan. These requirements are prescribed in the California Code of Regulations, title 23, section 3777. In pertinent part, subdivision (a) of section 3777 states that any standard, rule, regulation, or plan proposed for board approval must be accompanied by a completed environmental checklist and a written report that contains (1) a brief description of the proposed activity; (2) reasonable alternatives to the proposed activity; and (3) mitigation measures to minimize any significant adverse environmental impacts of the proposed activity.

Accordingly, the following documents were prepared to support the Basin Plan amendment: a Regional Water Board Staff Report and a CEQA Environmental Checklist, which assesses potential environmental impacts of the proposed Basin Plan amendment and describes alternatives to the proposed amendment, among other analyses. Pursuant to the Secretary's certification, the Staff Report, Basin Plan amendment, and CEQA Environmental Checklist, and other supporting

documentation (e.g., Board staff's responses to public comments) are considered "substitute environmental documents" that may be relied on in lieu of an Initial Study, Negative Declaration, and Environmental Impact Report. (Cal. Code Regs., tit. 14, § 15252.)

Adoption of a Basin Plan amendment is a regulatory action that is also subject to the requirements of Public Resources Code section 21159. Consistent with the requirements of that section, the Regional Water Board must perform an environmental analysis of the reasonably foreseeable methods by which compliance with that regulatory action will be achieved. Accordingly, this certified regulatory program environmental review is conducted at the programmatic level with analyses of the reasonably foreseeable environmental impacts of the methods of compliance, reasonably foreseeable feasible mitigation measures, and reasonably foreseeable alternative means of compliance with the regulatory action, which would avoid or eliminate the identified impacts (Pub. Resources Code, § 21159(a)(1)-(3); Cal. Code Regs., tit. 14, § 15187(b) & (c)(1-3)). These programmatic analyses take into account a reasonable range of environmental, economic, and technical factors as well as population and geographic area, and specific sites. The CEQA Environmental Checklist and analysis follows.

**Project Title:**

Amendment to the California Regional Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) to Prohibit the Use of Subsurface Wastewater Disposal Systems in the Town of Yucca Valley

**Lead agency name and address:**

California Regional Water Quality Control Board, Colorado River Basin Region  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

**Contact person and phone number:**

Jon Rokke, Water Resources Control Engineer, (760) 776-8959

**Project location:**

Colorado River Basin Region (southeastern California), Riverside County

**Project sponsor's name and address:**

California Regional Water Quality Control Board, Colorado River Basin Region  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

**General plan designation:**

Public Buildings, Facilities, and Utilities (Town of Yucca Valley Comprehensive General Plan, December 14, 1995)

**Zoning:**

Commercial, Residential, Industrial, and Public Uses

**Description of project:**

The proposed project consists of a Basin Plan amendment that would establish a discharge prohibition of wastes from onsite septic tank-subsurface disposal systems in accordance with a time schedule. The Basin Plan designates beneficial uses of water bodies, establishes water quality objectives for the protection of these beneficial uses, and outlines a plan of implementation for maintaining and enhancing water quality. The existing Basin Plan provides narrative water quality objectives that apply to ground water and subsurface wastewater disposal systems commonly referred to as septic systems. The water quality objectives for ground water are not being attained in the Town of Yucca Valley, which is affecting the beneficial uses of the underlying Warren Valley Aquifer ground water. The constituent of concern in the Warren Valley Aquifer is nitrate. Nitrate concentrations in the Yucca Valley area were reported to be greater than the maximum contaminant limit established for drinking water, indicating a serious water quality problem (United States Geological Survey (USGS) Report, Evaluation of the Source and Transport of High Nitrate Concentrations in Ground Water, Warren Subbasin, California). The discharges of wastes from on-site septic tanks to subsurface wastewater disposal systems were determined by the USGS to be the source of the nitrates due to the (a) high number and density of systems in the area and (b) absence of other significant past or present nitrate sources. The proposed Basin Plan amendment is necessary to address the threat and actual impact that the discharges from the onsite systems pose to the quality and the beneficial uses of the Warren Valley Aquifer. Property owners, existing residences, businesses, and public facilities that discharge septic tank wastes to subsurface disposal systems in Yucca Valley would be affected by the proposed prohibition as well as future dischargers who may plan to discharge in this area. The discharges that would be affected by this proposed prohibition also include discharges from on-site septic tank-subsurface disposal systems currently regulated by the Regional Water Board.

**Surrounding land uses and setting:**

The Basin Plan is applicable to the Colorado River Basin region of California, as set forth in the California Water Code, division 7, section 13200(i). The Town of Yucca Valley is located in southeastern California in the high desert area, a part of the Colorado River Basin region. The amendment will apply to specific residential and commercial areas in the Town of Yucca Valley.

**Other public agencies whose approval is required:**

None

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

**I. EVALUATION OF ENVIRONMENTAL IMPACTS**

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. <u>AESTHETICS</u> – Would the project:				
a) Have any substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |  |                          |                                     |                                     |                          |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

4. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

5. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d) Disturb any human remains, including those interred outside of formal cemeteries?

6. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

7. HAZARDS AND HAZARDOUS MATERIALS --  
Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

8. HYDROLOGY AND WATER QUALITY -- Would the project:

- a) Violate any water quality standards or waste discharge requirements?
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support the existing land uses or planned uses for which permits have been granted)?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?



- |   |                          |                                     |                                     |                                     |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>9. LAND USE AND PLANNING -- Would the project:</b>   |                          |                                     |                                     |                                     |
| 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 checked="" type="checkbox"/> | <input 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"/> |
| <b>10. MINERAL RESOURCES -- Would the project:</b>  |                          |                                     |                                     |                                     |
| 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?  | <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"/> |
| <b>11. NOISE -- Would the project result in:</b>  |                          |                                     |                                     |                                     |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan ordinance, or applicable standards of other agencies?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

12. POPULATION AND HOUSING -- Would the project:

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

13. PUBLIC SERVICES --

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

Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 14. 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?	<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"/>
 15. TRANSPORTATION / TRAFFIC -- Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS -- Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

17. MANDATORY FINDINGS OF SIGNIFICANCE --

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

- b) Does the project have impacts that are individually limited, but cumulatively considerable (“cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

## ENVIRONMENTAL CHECKLIST DISCUSSION

As explained in the Introduction, the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and its implementing CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require for any rule or regulation establishing a performance standard, which is what this proposed BPA to prohibit septic tank discharges in the Town of Yucca Valley would do, that the Regional Water Board perform an environmental analysis of the reasonably foreseeable methods by which compliance with that rule or regulation will be achieved. (Pub. Resources Code, § 21159; CEQA Guidelines, § 15187(a).) In addition, the State Water Resources Control Board's regulations in section 3777 of title 23 of the California Code of Regulations also impose overlapping environmental analysis requirements for "[a]ny standard, rule, regulation, or plan proposed for board approval or adoption..." (Cal. Code Regs., tit. 23, § 3777(a).) Accordingly, this Environmental Checklist Discussion is intended to fulfill the requirements of California Code of Regulations, title 23, section 3777, subdivision (a)(1) through (3); Public Resources Code section 21159, subdivision (a)(1) through (3); and California Code of Regulations, title 14, section 15187, subdivisions (b) and (c)(1) through (3), for this proposed BPA. More specifically, the discussion provides an analysis of: (1) the reasonably foreseeable methods of compliance with the proposed BPA; (2) the reasonably foreseeable environmental impacts resulting from the implementation of the prohibition; (3) where appropriate, the reasonably foreseeable feasible mitigation measures identified for those impacts; (4) the reasonably foreseeable alternative means of compliance with the requirements of this project, which would avoid or eliminate the identified impacts; and (5) reasonable alternatives to the proposed BPA.

Because some of the reasonably foreseeable environmental impacts identified for this BPA are associated with the Hi-Desert Water District's (HDWD) proposed Water Reclamation Facility and Wastewater Treatment Plant and Sewer Collection System Project (WWTF Project), the Regional Water Board has no control over the avoidance or mitigation of the impacts caused by the WWTF Project. Those impacts can only be avoided or mitigated by the Lead Agency for the WWTF Project--HDWD.

By way of background, HDWD, as required by CEQA, prepared an Initial Study and Environmental Assessment to evaluate whether its WWTF Project would have a significant adverse effect on the environment. HDWD determined that all of the significant effects it identified would be able to be avoided or reduced to less than significant levels if specified mitigation measures were implemented. Accordingly, following receipt of public comments on the project and HDWD's responses thereto, HDWD adopted on October 8, 2009, a Mitigated Negative Declaration for the WWTF Project and prepared a Final Mitigated Negative Declaration package, which incorporated changes made to the WWTF Project in response to public comments received. The Mitigated Negative Declaration required all mitigation measures identified in the Initial Study/Environmental Assessment and the Final Mitigated Negative Declaration package to be adopted as conditions of the WWTF Project. Further, the Mitigated Negative Declaration also required that the proposed mitigation measures be implemented through a Mitigation Monitoring and Reporting Program, which was also adopted at the same time. HDWD's Mitigated Negative Declaration and the Mitigation Monitoring and Report Program are provided as Appendices [X] and [Y] to the Staff Report.

Given the Regional Water Board's lack of authority to avoid or mitigate the reasonably foreseeable environmental impacts discussed in this analysis that are associated with HDWD's WWTF Project, the Regional Water Board must rely on HDWD, in accordance with its responsibilities as Lead Agency under CEQA, to take the appropriate steps required under CEQA to address and mitigate those impacts whenever possible. Accordingly, this Environmental Checklist Discussion addresses the above-mentioned reasonably foreseeable impacts at the programmatic level.

Regional Water Board staff is proposing a septic system prohibition in the Town of Yucca Valley. However, before the Regional Water Board can consider this proposal, it must evaluate other reasonable alternatives to the prohibition (Cal. Code Regs., tit. 23, § 3777(a)(2)). For the purposes of compliance with CEQA, this checklist is intended to work in tandem with Sections VII and VIII of the Staff Report. A discussion of economic considerations is contained in the Staff Report, beginning on page 24.

### **Project Description**

The proposed project consists of an amendment to the Water Quality Control Plan for the Colorado River Basin Region (hereafter Basin Plan) that prohibits the discharge of wastes from septic tank-subsurface wastewater disposal systems in specific areas of the Town of Yucca Valley. As discussed in more detail in the section titled "Implementation Plan," the most practicable alternative to comply with the prohibition is to connect to the proposed centralized municipal sewage collection and treatment system; i.e., the WWTF Project. The HDWD has prepared a Sewer Master Plan outlining three phases of construction for a centralized municipal sewage collection and treatment system to address the threat and actual impact that the discharges have had and continue to have on groundwater, and to assist the Town, its residents, and businesses in complying with the terms of this prohibition. Each phase covers a specific area of the Town and the onsite septic tank-subsurface disposal systems targeted by this Basin Plan amendment. HDWD has also completed Preliminary Value Engineering studies for both the collection and treatment systems that detail costs associated with installing these systems in the Town of Yucca Valley (VMS, October 2008). Table 1, below, shows the current and projected flows at full build-out of each phase.

**Table 1: Wastewater Flow Projections by Phase**

Phase	Year 2012 Flow (mgd)	Year 2015 Flow (mgd)	Year 2018 Flow (mgd)	Build-Out Flow (mgd)	Build-Out Cumulative Flow (mgd)
Phase 1	1.40	1.49	1.59	3.48	3.48
Phase 2		0.41	0.44	1.20	4.68
Phase 3			0.56	1.42	6.09
Total	1.40	1.90	2.58	6.09	--

Therefore, and as required by section 13242 of the Porter-Cologne Water Quality Control Act, the proposed amendment incorporates an implementation plan to be carried out for achieving water quality objectives specified for the Warren Valley Aquifer. The implementation plan establishes a schedule to cease discharges from septic systems and to require dischargers to connect to the proposed municipal sewage collection and treatment system as follows: (1) discharges within the main business corridor area of the Town of Yucca Valley, designated as Phase 1 in the Sewer Master Plan by March 2016; discharges within Phase 2 of the Sewer Master Plan by March 2019; and (3) discharges within Phase 3 of the Sewer Master Plan by March 2022.

### **Area Description**

Yucca Valley is an incorporated part of San Bernardino County located in the southwestern area of the Mojave Desert, approximately 25 miles north of Palm Springs and 100 miles east of Los Angeles. This southwestern part of the Mojave Desert is bordered to the north by the San Bernardino Mountains and to the south by the Little San Bernardino Mountains. The Town of Yucca Valley is the main population center in this area. Annual rainfall in Yucca Valley averages 6.5 inches, with most of this water lost to evaporation. The Town of Yucca Valley overlies a portion of the Warren Valley Sub-basin in the Joshua Tree Hydrologic Unit. The beneficial uses of ground water found in the Joshua Tree Hydrologic Unit are: a) Municipal (MUN), and b) Industrial (IND).

### **Reasons for the Proposed Project**

The Basin Plan establishes water quality standards for surface waters and ground waters within the region by designating beneficial uses for those waters and establishing water quality objectives for the protection of these beneficial uses. The Basin Plan also outlines a plan of implementation for maintaining and enhancing water quality. The existing Basin Plan includes beneficial uses of ground waters of the area and narrative objectives for protecting the quality of waters thereof. The Basin Plan specifically restricts septic system use in the Cathedral City Cove area and for areas that overly the Mission Creek or Desert Hot Springs aquifers. The proposed amendment would add a new section into Chapter 4, Section II.H of the Basin Plan entitled "Town of Yucca Valley" that prohibits the use of septic systems in specific areas of the Colorado River Basin Region.



Septic tanks with subsurface wastewater disposal systems (e.g., leach fields and seepage pits), commonly referred to as septic systems, are used in many areas where municipal wastewater collection and disposal systems are impractical because of cost. More than 1.1 million subsurface disposal systems existed in California in 1990 (U. S. Census Bureau, 1999). Subsurface disposal systems can effectively treat wastewater leaving the septic tanks by using natural chemical, biological, and physical processes to degrade harmful contaminants and reduce disease threat. However, wastewater that leaves septic tanks can contain contaminants that cannot be naturally removed, including contaminants formed after treatment or pass through the septic tanks (e.g., salts). These contaminants threaten to degrade water quality. In the United States, subsurface wastewater disposal systems are the second leading cause of groundwater contamination. Effluents flowing from subsurface wastewater disposal systems contaminate surface and ground water with heavy metals, eutrophication nutrients (nitrogen and phosphorus), and human borne pathogens (U. S. Environmental Protection Agency, 2000). Aquifers underlying the Town of Yucca Valley have been shown to have high nitrate concentrations, which pose a threat to public health.

### **Reasonable Alternatives to Proposed Prohibition**

Regional Water Board staff also considered reasonable alternatives to the proposed prohibition, including (1) density restrictions for septic systems based on area of lot/parcel, (2) more stringent site-specific requirements for septic systems (e.g., more stringent soil percolation requirements), and (3) a general permitting regulatory program (i.e., general waste discharge requirements) for the discharge of wastes from onsite individual systems because they are not currently regulated by the Regional Water Board.<sup>1</sup> However, the first two alternatives would essentially be applicable only to new development and existing disposal systems that need to be replaced. More importantly, these alternatives would fail to address the threat and actual impacts that the existing systems are having on ground water. The third alternative, a general permitting regulatory program for systems not currently regulated, would need prescriptive effluent and ground water requirements to protect the beneficial uses of ground water (e.g., nitrate and total dissolved solids limitations for the effluent and in ground water). Even under optimum operation and maintenance conditions, however, the typical septic system only removes about 30% of the nitrate associated with septic tank effluent. As a result, the systems would not be able to comply with the requirements, and their discharges of waste would continue to degrade and pollute ground water. In other words, these alternatives would fail to achieve the environmental objectives of this Project. Therefore, these three regulatory alternatives are not acceptable as reasonable alternatives to the proposed prohibition.

### **No Action Alternative**

Another alternative that must also be considered is the “no action” alternative. If no action is taken to address the serious septic system issues in Yucca Valley, which have been well documented (see, e.g., the USGS Survey Report previously cited), public health and water

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<sup>1</sup> The Regional Board already regulates “community” septic systems in the area discharging 5,000 gpd or more.

quality impacts from septic systems will increase as local development proceeds. Deep percolation of septic system effluent will continue to contaminate municipal groundwater aquifers, which would exacerbate the existing conditions of pollution and nuisance. Because the California Legislature declared that “the quality of all the waters of the state shall be protected for use and enjoyment by the people of the state” (CWC § 13000), and charged the State Water Board and the nine regional water boards with the statutory duty to be “the principal state agencies with primary responsibility for the coordination and control of water quality” (CWC § 13001, the Regional Water Board would be derelict in its statutory duty to accept this “no action” alternative. Hence, the “No Action” alternative is an unacceptable option.

### **Implementation Plan and Methods/Alternatives Available to Comply with Prohibition**

As mentioned above, the Regional Water Board must adopt an implementation plan for achieving water quality objectives (CWC § 13242). The subsurface wastewater disposal systems prohibition fulfills the regulatory and legislative requirements of a water quality implementation plan and is consistent with state water quality control policies. The Regional Water Board must also identify reasonably foreseeable methods available for compliance with the proposed prohibition (Pub. Resources Code, § 21159; Cal. Code Regs., tit. 14, § 15187). Consistent with this requirement, the reasonably foreseeable alternatives for compliance are discussed below. .

There are essentially four alternatives that conceivably could be considered to comply with the prohibition: (1) hauling the wastes from the septic tank by tanker truck to other off-site community wastewater treatment and disposal facilities; (2) constructing and using on-site systems with supplemental treatment units; (3) constructing and using decentralized community sewage collection and package or satellite treatment plants; and (4) constructing and using a centralized (or municipal) sewage collection and treatment system.

With respect to the first alternative, hauling the wastes off-site by tanker truck to other communities with wastewater disposal facilities and capacity to accept liquid wastes is not a practicable alternative for several reasons. First and foremost, there are not any municipal wastewater treatment facilities (WWTFs) nearby in Yucca Valley. The closest municipal WWTFs are in the Coachella Valley and none of these WWTFs has the capacity to take the septic tank wastes in such a larger scale (capable of handling 1.40 mgd, which are just the current flows estimated for Phase 1). Also, tanker truck capacities are small, ranging from 2,500 gallons to 7,000 gallons. Thus, it would take roughly 280 trucks to handle the projected flows from Phase 1, alone. It is doubtful that these many trucks would be readily available to haul off the wastes. Even if they were, round trips for the tanker trucks are between 80-100 miles (including routes through other communities), and would have significant adverse impacts on roads and transportation flows. Moreover, public nuisances, including noise and odor, have been observed during the pumping of raw sewage at various commercial facilities for transfer into the tanker trucks. Further, air quality impacts from diesel emissions by these many vehicles would be significant. In short, this alternative is not practicable for the Town.

With respect to the second alternative, onsite treatment systems with supplemental treatment units would provide a higher degree of treatment than occurs with conventional onsite septic tank systems (i.e., they would minimize the threat that the effluent from these systems pose to water

quality). However, the cost of replacing an existing conventional septic tank with an onsite system that has supplemental units has been estimated to be \$45,000 for the typical household that produces a non-high strength waste. The cost for replacing a typical onsite septic tank with an onsite system with supplemental treatment units to handle high-strength waste is estimated to be \$250,000 (SWRCB, Program Draft Environmental Impact Report, AB 885 Onsite Wastewater Treatment Systems, November 2008). Based on either of these costs alone, it is highly unlikely that these advanced onsite systems would be implemented to comply with the prohibition.

With respect to the third alternative, a single decentralized sewage collection and treatment system could have similar or fewer environmental impacts than a centralized municipal collection and treatment system. Prefabricated package plants can be ordered to handle specific flows from 0.005 up to 0.50 mgd, but typically handle flows in the 0.01 - 0.25 million gallons per day (mgd) range (Metcalf and Eddy, 1991). To adequately address the environmental objectives of this Project, these package plants must be able to produce effluent with very low concentrations of constituents of concern (e.g., nitrates and pathogen-indicator bacteria). While these plants are capable of doing so, particularly when the influent is domestic wastewater of moderate strength, the package plants are typically more expensive to build and operate and maintain than a centralized facility on a dollar-per-gallon of wastewater treated basis, and are also difficult to finance, if privately owned. In fact, all other things being equal, the smaller the package plant treatment capacity, the higher the capital and operation and maintenance costs per gallon of wastewater tend to be (EPA600/2-80-008b, USEPA, 1980). This factor alone makes package plants an unlikely scenario. Moreover, package plants in any area affected by the prohibition, but particularly in Phase 1 where most of the commercial establishments are located, are undesirable for other technical and regulatory reasons as well. Commercial establishments generate moderate to high strength wastes and sporadic high flow rates, which make the operation and maintenance of the package plants complex because the plants are typically designed to treat average peak flow rates and average wastewater characteristics. The package plants would also pose a greater nuisance threat than a centralized system. They would also limit opportunities to maximize wastewater reuse/recycling. Proliferation of package plants could also have significant cumulative environmental impacts (e.g., significant nuisance odors). Based on the foregoing, this alternative is an unlikely scenario and thus, is not recommended for complying with the prohibition.

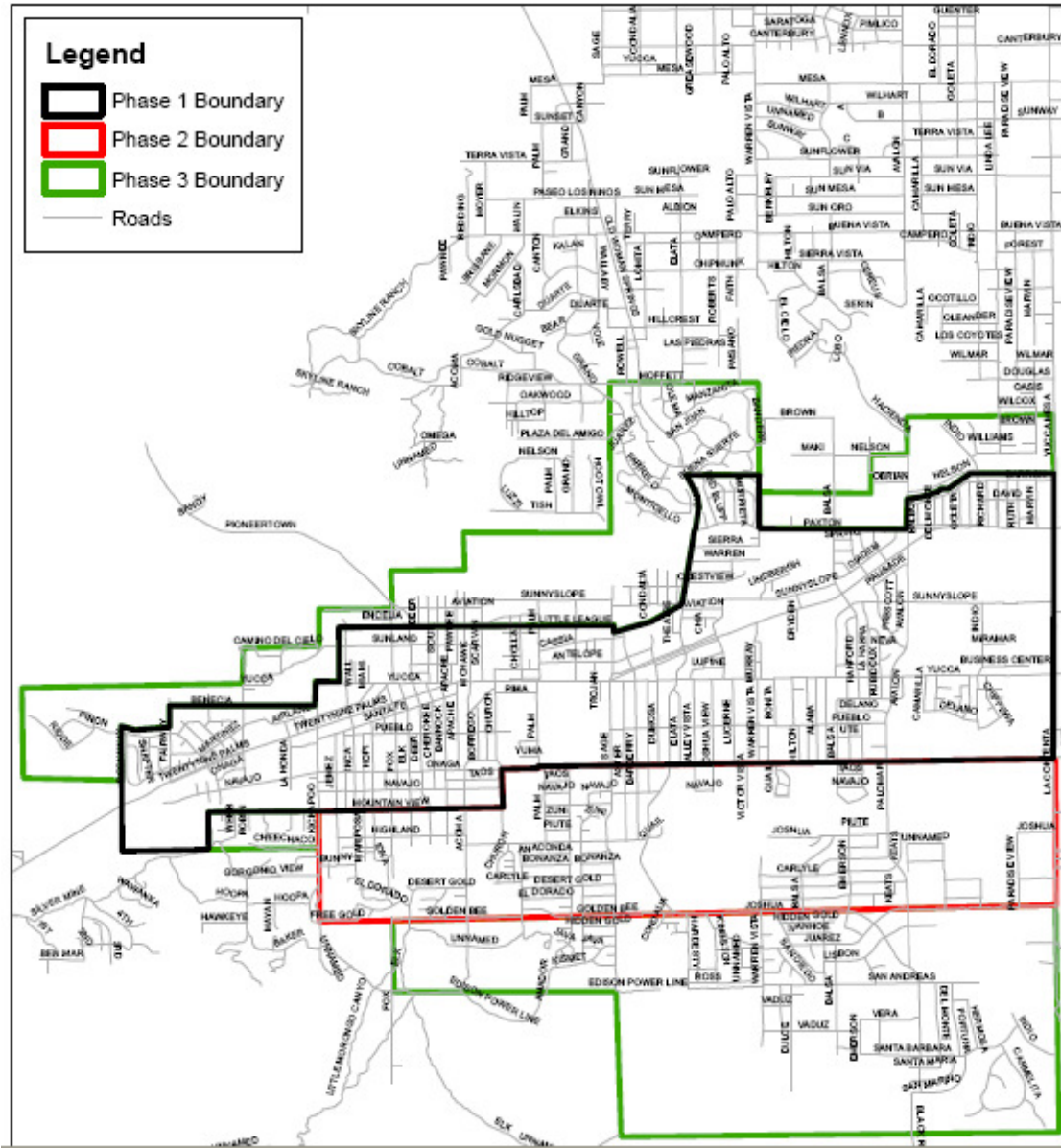
Finally, with respect to the fourth alternative, the centralized municipal collection and treatment system alternative meets the environmental objectives of this Project and also provides for maximizing the reuse/recycling of the effluent from the proposed wastewater treatment facility. HDWD is also pursuing grants and low interest loans to finance the system and to establish a financial assistance program to help low income residents connect to the system and comply with the prohibition. As previously discussed, HDWD, as Lead Agency under CEQA, adopted on October 8, 2009, a Mitigated Negative Declaration for the proposed municipal collection and treatment system. It also obtained authority from the Local Agency Formation Commission (LAFCO) in 2009 to provide sewerage services to the Town of Yucca Valley. Therefore, this environmental analysis relies on HDWD's Mitigated Negative Declaration and associated documents (Initial Study/Environmental Assessment, Final Mitigated Negative Declaration Package, and Mitigation Monitoring and Reporting Program) for the purpose of identifying reasonably foreseeable environmental impacts that a centralized collection and treatment system

would have and the mitigation measures to address those impacts. A copy of the HDWD Mitigated Negative Declaration and associated documents are attached herein as Appendix A. They can also be found at:

<http://www.hdwd.com/Projects/WastewaterTreatmentWaterReclamationProject/EnvironmentalReport.aspx>

Therefore, this fourth alternative is the preferred and recommended alternative for compliance with the prohibition. Accordingly, this proposed BPA would prohibit septic systems in conjunction with HDWD's proposed construction and operation of its centralized municipal collection and treatment system project as follows: (1) discharges within the main business corridor area of the Town of Yucca Valley, designated as Phase 1 in the Sewer Master Plan must be phased out by March 2016; discharges within Phase 2 of the Sewer Master Plan must be phased out by March 2019; and (3) discharges within Phase 3 of the Sewer Master Plan must be phased out by March 2022. Figure 1, below, shows the Phases and their boundaries.

Figure 1: HDWD Sewer Master Plan Phases



From HDWD-MWH Sewer Master Plan, January 2009

The Phase 1 area is bounded by the Nelson Avenue to the north, Onaga Trail to the south, La Contenta Road to the east, and Rockaway Avenue to the west. The Phase 2 area is bounded by Onaga Trail to the north, Golden Bee Drive to the south, La Contenta Road to the east, and Kickapoo Trail to the west. The Phase 3 area covers the remaining residential customers on the west end of HDWD’s service area along with some low to medium density residential customers located north of the Yucca Wash up to Cobalt Road.

## EVALUATION OF ENVIRONMENTAL IMPACTS DISCUSSION

### I. Aesthetics

Would the project:

a) Have any substantial adverse effect on a scenic vista?

**Less than significant impact.** The sewage collection system for the centralized municipal wastewater collection system will be located underground and, therefore, will not affect the view above ground once installation is complete. In the case of the centralized system proposed by HDWD, above ground structures such as the wastewater treatment facility (WWTF) and lift station are located in areas which will not impact scenic vistas. The lift stations can be housed in structures that blend with the surrounding development. Even though the WWTF will change the character of the site where it will be built, these changes are not considered significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**Less than significant impact.** There are no impacts expected in relationship to scenic resources in Yucca Valley, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway. Some of the piping for the municipal wastewater collection system will run under Highway 62 (aka the 29 Palms Highway). While a portion of Highway 62 within the area affected by the Project is “eligible” for designation as a Scenic Highway, it has not been designated so. In any event, locating piping for the centralized collection system underground will have a short-term impact on the view of the highway during construction, but will not affect the highway as a scenic resource should it be designated so once installation is complete. Therefore, the short-term impact is considered less than significant.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

**Less than significant impact.** Visual quality will be affected by construction, but once construction is complete the existing visual character or quality of Yucca Valley and its surroundings are not expected to be substantially degraded by the action.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

**Less than significant with mitigation.** There will be some new permanent lighting in the wastewater treatment plant area to support operations and safety at the facility. The surrounding area however already has residential, commercial and industrial development, such that the new lighting at both the WWTF site and at the pump station sites should not be considered substantial change to the project area. Any potential light or glare from the new facilities should be

mitigated by developing a facility lighting plan to prevent light from spilling to surrounding occupied structures, in accordance with the Town of Yucca Valley Night Sky Ordinance.

## II. Agriculture Resources

Would the project:

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?

**No Impact.** The amendment to prohibit subsurface wastewater disposal systems and construction of a municipal wastewater collection system will not convert unique farmland, or Farmland of Statewide Importance, to non-agricultural use. The areas directly affected are zoned as Residential and Commercial use.

b) Conflict with existing zoning for agricultural use, or Williamson Act contract?

**No Impact.** The prohibition will not conflict with existing zoning for agricultural use, or the California Land Conservation Act known as the Williamson Act.

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?

**No impact.** The prohibition and installation of a municipal wastewater collection system will not involve any other changes in the existing environment that could result in the conversion of farmlands to non-agricultural use.

## III. Air Quality

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

**Less than significant.** Neither the amendment prohibiting discharges from septic systems, nor construction of the municipal wastewater collection system will conflict with or obstruct the implementation of any air quality regulatory action or plan. Construction activities are a normal occurrence in Yucca Valley.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

**Less than significant with mitigation.** Particulate emissions (PM<sub>10</sub>) and ozone are the contaminants of most concern in San Bernardino County, exceeding Federal and California State Ambient Air Quality Standards (Mojave Air Quality Management District, 2007). PM<sub>10</sub> emissions for the most part are emitted from stationary and mobile sources, including diesel

trucks and other motor vehicles, power plants, industrial processing, woodburning stoves and fireplaces, wildfires, dust from roads, construction, landfills, agriculture, and fugitive windblown dust. The presence of ozone that exceeds Federal and State standards is the result of the transport of pollutants from Los Angeles County, Riverside County, and the Valley portions of San Bernardino County (Town of Yucca Valley General Plan Air Quality Element, 1995).

The amendment prohibiting discharge from the septic systems is not an emission source of particulate matter or ozone. However, the construction of centralized or decentralized subsurface wastewater collection systems, package plants, and the municipal WWTF will involve the use of excavation and construction equipment (e.g., tractors, backhoes, etc.) that are sources of gasoline/diesel byproduct emissions and will generate particulate material (dust) from excavating soils. The operation of pumps at the lift stations and treatment facilities will use diesel-powered generators for emergency backup power systems that are also a source of gasoline/diesel byproduct emissions. Emissions from diesel/gasoline engines and particulate material (i.e., dust) from the construction and operation of the municipal wastewater collection system are not considered significant by themselves, but may contribute to a violation of particulate standards.

The impact of the contribution will be less than significant with mitigation, because there are many best management practices (BMPs) available to the lead agency to utilize during construction and operations to mitigate down to the Less than Significant level. Additionally, the operation of the emergency backup power system will be infrequent.

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 that exceed quantitative thresholds for ozone precursors)?

**Less than significant with mitigation.** A pollutant is designated non-attainment if there was at least one violation of a State standard for that pollutant in the area. Pursuant to Title 17, §70301 of the California Code of Regulation, the..." designations and reviews of designations shall be based on data for record for the three calendar years prior to the year in which the designation is made or the annual review of the designation is conducted". The Mojave Desert Air Basin is currently designated as a non-attainment region with regards to ozone and particulate matter (California Air Resources Board, 2010). The contribution attributable to the construction and operation of a municipal wastewater collection and treatment systems are subject to mitigation by the lead agency, and after BMPs are employed is not considered to be cumulatively considerable, and, therefore is less than significant with mitigation.

d) Expose sensitive receptors to substantial pollutant concentrations?

**Less than significant with mitigation.** Sensitive receptors are considered to be children, the elderly and the sick. The only sensitive receptors within the WWTF project area are a few single-family residences to the east and south of the project site, which are not immediately adjacent. The La Contenta Middle School and Sky High Schools are located approximately 1/4 mile to the northwest of the project site. Additionally, residential uses and schools occur along the proposed sewer line alignments, and commercial and industrial uses are located to the north and east of the



WWTF site. The WWTF will be required to comply with 40 CFR Subpart O which sets Standards of Performance for sewage treatment plants. The main concern regarding exposure of sensitive receptors is from fugitive dust which will be mitigated by BMPs such as periodic watering of areas disturbed by construction, minimizing activities when winds exceed 30 miles per hour, and by covering haul trucks.

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

**Less than significant with mitigation** Objectionable odors naturally arise from domestic wastewater effluents to the point where they can be considered a nuisance (§13050 CWC). The amendment prohibiting subsurface wastewater disposal systems and the construction of a wastewater collection and treatment systems will not create objectionable odors, however the conveyance and treatment of wastewater will. The municipal treatment system will be regulated via Waste Discharge Requirements (WDRs) issued by the Regional Board. Typical WWTP WDRs contain a no nuisance provision requiring that treatment facilities be operated and maintained in a manner that does not create nuisance conditions. Similarly, a municipal collection system will be subject to the terms and conditions of the State Water Boards, “Sanitary Sewer Overflow” General WDR’s.

#### **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, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**Less Than Significant Impact With Mitigation.** The range of the Desert Tortoise includes the Mojave Desert and the environs of the Yucca Valley General Plan Study Area. The desert tortoise has been listed as “endangered” by the federal government and placed on the Endangered Species List. The lead agency should include all necessary mitigation measures in their projects CEQA document, as required to protect any endangered species.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**Less than significant with mitigation.** According to the biological survey (Appendix 5, HDWD IS- EA, 2009), an ephemeral wash traverses the WWTF site and other ephemeral washes occur along the sewer collection system pipeline alignments. These washes are considered jurisdictional waters of the State, but not of the United States. The proposed project will impact less than one-quarter acre of the onsite wash and other washes within the WWTF project area. No riparian habitat or sensitive natural community occur within these washes or within the

project area, and mitigation measures undertaken to protect endangered species can minimize biological resource impacts to a less than significant level.

- 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?

**Less than significant with mitigation** The washes mentioned in b) above, are considered jurisdictional waters of the State, but not of the United States. The basis for this conclusion is that the channels within the area are isolated waters that deliver runoff to internally drained basins. Therefore there will be no adverse effect on any federally protected wetland as defined in Section 404 of the Clean Water Act.

- 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?

**Less than significant.** The project area is not designated as a wildlife corridor in the Towns General Plan. The Biological Assessment completed as part of HDWDs Initial Study (Appendix 4, HDWD IS- EA, 2009). concluded that the wash area south of the site of the WWTF may serve as a minor wildlife movement pathway however it does not contain any riparian or other habitat resources unique to the project. Thus any impacts are considered to be less than significant.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy ordinance?

**Less than significant with mitigation.** The Town of Yucca Valley has a Joshua Tree preservation ordinance. San Bernardino County has a similar ordinance to protect native cactus plants to the extent feasible The lead agency should ensure that both of these ordinances are complied with throughout the duration of the project

- 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?

**No impact.** No conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan are expected to occur.

## V. Cultural Resources

Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

**Less than significant.** No impacts will occur to any historical resource as defined in §15064.5. There are several areas in and around the Yucca Valley area which can be considered significant historical resources from prehistoric, historic periods and local history. However a Cultural Resources Study conducted by CRM TECH did not identify any cultural resources within or adjacent to the likely project areas (Appendix 5, HDWD IS- EA, 2009). Neither the amendment nor the construction of a municipal wastewater collection system in the Town of Yucca Valley is expected to cause adverse changes in these or other significant historical resources.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

**Less than significant with mitigation.** No impacts will occur that will cause substantial adverse change in the significance of an archaeological resource as defined in §15064.5. CRM TECH conducted a historical/archaeological records search, background research, contacted Native American representatives, and carried out a systematic field survey. The research did not identify any cultural resources within the proposed project area (Appendix 5, HDWD IS- EA, 2009). However, in the event that historical, cultural, or paleontological resources are exposed during construction, these activities will be stopped until a qualified professional evaluates the resources. If human remains are found during initial grading activities, all ground disturbing activities in the area will cease immediately and the county Coroner will be called.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than significant with mitigation. Please refer to 5 b) above.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less than significant with mitigation. Please refer to 5 b) above

## **VI. Geology and Soils**

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. Strong seismic ground shaking?

**Less than significant impact.** Yucca Valley as with most of southern California, is in a seismically active area and will most likely be subject to substantial ground shaking during the life of the project. The proposed sit for the WWTF is located approximately 1 mile south of the east-west aligned Pinto Mountain fault and the potential for ground rupture is considered to be extremely low. As an essential public facility, the WWTF must be designed to withstand the

ground shaking from a predictable major seismic event. Properly designed structures will not subject humans to potential substantial adverse geologic effects. In addition, the proposed project is not located on steep slopes and is also not subject to landslides. There is little potential for liquefaction to occur in the project area as depth to groundwater is

There are two other local faults with identified Alquist-Priolo Special Studies Zones, the Eureka Peak Fault located west of the project sit and the Burnt Mountain Fault, located west of the Eureka Peak Fault. Although these faults appear not to pose a rupture hazard for the WWTF, the sewer collection system will cross these faults, in addition to the Pinto Mountain Fault. Future pipelines crossing these faults may experience damage from rupture associated with future seismic events. The lead agency should ensure that mitigation measures are provided to address the future management of such sewer pipe damage.

ii) Strong seismic ground shaking?

**Less than significant impact.** Please refer to VI(a)i) above

iii) Seismic-related ground failure, including liquefaction?

**Less than significant impact.** Please refer to VI(a)i) above

vi) Landslides?

No impacts

b) Result in substantial soil erosion or the loss of topsoil?

**Less than significant with mitigation** During construction/installation of the WWTF and municipal collection systems, construction activities have the potential to cause soil erosion. The lead agency should require that BMPs be employed to control wind and water erosion and subsequent sedimentation from the areas disturbed by construction activities.

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?

**Less than significant with mitigation** The site of the proposed WWTF is generally level and would not have potential for rockslides or landslides. The sewer system installation will occur throughout Yucca Valley including some locations where rockslide may occur. Since the pipelines will be installed underground, the potential for rockslide hazard is minimal and does not require mitigation. Regarding liquefaction, refer to response to VI(a) above.

The project manager overseeing the installation of the municipal wastewater collection system should institute best management practices such as stabilization of excavation digs (shoring) or sloping of the pit walls to prevent or minimize deleterious events from occurring with pipe installation.

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?

**No Impact.** The WWTF site and the municipal collection system alignments do not contain any expansive soils and therefore no mitigation measures are necessary.

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?

**No Impact.** Although the proposed amendment prohibits the use of septic tank-subsurface wastewater disposal systems, the soil in the Yucca Valley generally has only slight limitations for septic tank absorption fields. The project does not include the installation or operation of any septic tanks and therefore no mitigation is required.

## 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?

**Less than significant with mitigation.** During construction there is the potential for accidental release of petroleum products in sufficient quantities to pose a threat to the public or the environment. Accidental spillage of diesel fuel or other petroleum products from construction equipment poses a hazard both employees and the environment where it occurs. The lead agency should require that mitigation measures be employed to ensure that spills are immediately remediated during construction and returned to an uncontaminated condition.

Once construction is completed there will be routine transport and use of hazardous chemicals for operation and maintenance of the WWTF. HDWD already has operational procedures that address potential impacts from routine transportation and use of hazardous materials in conjunction with the water supply system. The lead agency should ensure the use of these long-term BMPs and spill prevention countermeasures to control the accidental release of hazardous materials at the WWTF.

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?

Less than significant with mitigation. See discussion in VII (a) above.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**Less than significant.** There are two schools within the general vicinity of the proposed WWTF, which may employ sodium hypochlorite for disinfection. Sodium hypochlorite does not pose an acute hazard to humans when handled properly, and is considered to be readily controlled through use of a spill prevention control countermeasures plan. Thus the chemical uses and related hazards are considered to be manageable at the WWTF site, without causing risk to surrounding populations including the schools.

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?

**No Impacts.** The proposed WWTF site and collection system route do not contain, nor are they near, any “active” listed materials sites and therefore has no potential for exposing the public to such a site.

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?

**No Impacts.** The proposed WWTF is located approximately three miles from the east end of the privately owned Yucca Valley Airport. Construction activities and WWTF operations have no potential to pose a safety hazard and do not conflict with the local airport use plan.

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?

**No Impacts.** See response (e) above.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less than significant with mitigation.** The project is located off existing roads and will have limited potential to cause interference with any emergency response or evacuation plan during construction. Any impact to roads will be temporary and less than significant with mitigation.

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?

**No Impacts.** The project does not involve placing any new population in a wildland fire hazard area, or the construction of new structures that would be threatened by wildland fires. Generally, the entire area is located within a wildland fire hazard area, but the WWTF and pump station sites occur in areas with low fuel loads. After construction, no substantial impacts have been identified that require mitigation and impacts.

## VIII. HYDROLOGY AND WATER QUALITY

Would the project:

- a) Violate any water quality standards or waste discharge requirements?

Impacts are considered significant if they result in violation of water quality standards or waste discharge requirements. A water quality standard for a water body is defined as a particular beneficial use of the water body and the water quality objective(s) (WQOs) necessary to protect the use. WQOs can be numeric or narrative.

The Regional Water Board has adopted numeric WQOs for specific chemicals in ground waters that have a designated beneficial use as a municipal water supply (Californian Regional Water Quality Control Board, Colorado River Basin Region, 1994). One of the designated beneficial uses of ground water found in the Warren Sub-basin is municipal (MUN). Subsurface wastewater disposal systems are contributing nitrates to ground water at concentrations that have exceeded the maximum contaminant limit for drinking water.

Provisions of the California Water Code authorize the Regional Water Board to adopt waste discharge requirements (WDRs) for discharges of wastes/pollutants from point and nonpoint sources of pollution into the surface waters within the region. WDRs for discharges from point sources into regional surface waters, which are also national waters, are termed National Pollutant Discharge Elimination System permits. The Regional Water Board will adopt WDRs for the proposed WWTF. The proposed centralized system will address the environmental objectives of this Project and be able to meet the WDRs. Compliance with the WDRs also will prevent impacts on water resources.

**Less than significant with mitigation.** The prohibition will require the issuance of waste discharge requirements for the WWTF and enrollment of the collection system into the State Water Board's General WDRs for Sewage System Overflows (SSOs). Passing of the amendment will eliminate the discharge from the septic systems as contamination sources and will improve or prevent the degradation of water quality. The construction of municipal wastewater collection and treatment systems, however, have the potential to violate water quality standards through stormwater runoff, and will occur over an area greater than 1 acre. Both conditions satisfy the criteria for warranting enrollment in the Stormwater program's General WDRs for Construction Activities. The project manager should process an application for a stormwater discharge permit and receive waste discharge requirements (WDRs) prior to starting installation of the municipal wastewater collection and treatment systems. Compliance with the General WDRs for Construction Activities will prevent the runoff from causing significant impacts on waters of the state.

- 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 the existing land uses or planned uses for which permits have been granted)?

**Less than significant.** It is estimated that the septic systems discharge approximately 10 million gallons of wastewater daily in the areas covered by the three phases of the proposed sewer system. General estimates of septic tank discharges are that around 50% of their effluent reaches groundwater, while some remain in the vadose zone and some is evaporated or transpired to the atmosphere. However, this discharge is causing and contributing to the water quality problems in the area addressed by the prohibition, and therefore not considered suitable for recharge purposes. Implementation and construction of a municipal wastewater collection, treatment and disposal system would divert the flow from the septic systems to the WWTF. The proposed WWTF will generate a higher quality wastewater effluent, which will be returned to the Warren Sub-basin groundwater. Approximately 80% of the effluent delivered to the WWTF will be returned to ground water via percolation ponds. Therefore, the proposed project is not expected to substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

- 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?

**Less than significant with mitigation.** Implementation of the prohibition and construction of a wastewater collection, treatment and disposal systems will not result in an alteration of the course or drainage patterns of any surface waters. At some locations, the proposed pipelines will cross either natural or man made washes. Based upon field review of the washes, the surface flows will continue unaltered after the pipelines are installed below the ground surface.

- 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?

**Less than significant with mitigation.** The implementation of the prohibition and construction of a municipal wastewater collection and disposal system does not require the alteration of existing drainage patterns in the area. Runoff from the proposed WWTF will be collected in a retention basin and discharged to the facilities headworks for treatment prior to discharge to the recharge basins. The proposed WWTF is expected to increase runoff once the facility is installed, but the increase runoff is not expected to cause substantial alteration of the existing drainage pattern because the runoff will be treated at the WWTF itself.

- 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?

**Less than Significant.** The proposed project will contribute additional runoff and create new sources of polluted run-off. The lead agency overseeing the construction should apply for a stormwater discharge permit prior to starting construction of the municipal wastewater collection system.

- f) Otherwise substantially degrade water quality?



**Less than significant.** Degradation, for the purposes of this subsection, consists of the lowering of ground water quality conditions in the Warren Sub-basin Basin. Substantial degradation is degradation that threatens violation of WQOs. The goal of this project is to improve or prevent the degradation of ground water quality conditions in the Warren Sub-basin, which has already been degraded to the extent that it is impaired by high concentrations of nitrate (USGS, 2003). As required by state laws and regulations, the Regional Board will continue to regulate point sources of pollution through WDRs to ensure that degradation of water quality from these sources is mitigated and consistent with State and Federal antidegradation policies. It will also continue to use its tiered approach to control degradation caused by nonpoint sources. This project is consistent with that approach, and its implementation is not likely to result in any additional substantial degradation of water quality.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

**Less than significant.** Housing developments are neither required by nor expected to result from this project. Therefore, the project will not place housing within a 100-year flood hazard area.

h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?

**Less than significant with mitigation.** The project does not propose new housing but a portion of the WWTF project site is within a 100-year flood hazard area. According to the Yucca Valley General Plan, the wastewater treatment plant site and pipeline alignment are in a “A” zone, for 100-year flood hazard potential. Based on the current site design, the treatment plant will be installed outside of or just on the eastern edge of the flood hazard zone. To ensure no damage from 100-year flood hazards, the proposed treatment plant will have to be protected from the 100-year flood hazard by elevating the facility above the 100-flood level or by armoring the facility from exposure to such hazard.

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?

**Less than significant with mitigation** The proposed project has no potential to expose either people or structures to substantial loss or injury related to flooding, including failure of a levee or dam. No such existing facilities occur within the upstream area of the proposed project.

j) Inundation by seiche, tsunami, or mudflow?

**No impact** This project will not expose people or structures to any increased risk of inundation by seiches, tsunamis or mudflows.

## IX. Land Use and Planning

Would the project:

a) Physically divide an established community?

**No Impacts.** The Basin Plan amendment will not physically divide an established community. The wastewater treatment plant site is proposed to be located on an 80-acre parcel in the Town of Yucca Valley, which is currently designated for commercial use. Public facilities are permitted to be located in all land use designations. The surrounding area is designated for commercial and industrial use in all directions, with the exception of the residential development to the north. The proposed project would not physically divide the community

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

**Less than significant.** No significant adverse conflicts with applicable planning policies are forecast to occur and no mitigation is proposed. The project will implement mitigation to conform with requirements for mitigating disturbance of stream channels, Joshua trees, and other measures required to comply with planning requirements that apply to the WRF project site and sewer collection system alignments.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

**No impact.** The Basin Plan amendment itself will not result in any habitat conservation plan or natural community conservation plan. The project site is not located within the boundary of any adopted habitat conservation plan or natural community/conservation plan. The Town of Yucca Valley requires developers to salvage native Joshua Trees and shrubs for incorporation in project landscaping or to transplant trees to other sites. The Town has a Joshua Tree Removal permit process. The District is subject to these requirements. San Bernardino County Ordinance 3175 recommends that all creosote bush rings greater than 10 feet in diameter be preserved and native plants such as cacti are to be salvaged. The lead agency should ensure that all applicable ordinances regarding habitat conservation are observed.

As discussed under biological resources section, the project area contains a sensitive plant community, Joshua Tree Woodland. It is also a designated area for recovery of the federal and state-listed threatened species, the desert tortoise.

## 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?

**No Impacts.** The proposed project and implementation measures will not result in any loss of availability of known mineral resources. Construction of a municipal wastewater collection system is expected to take place on residential and commercially zoned land.

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?

**No Impacts.** The proposed implementation of the prohibition and associated construction of a municipal wastewater collection system does not affect any mineral resource recovery site.

## **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 ordinance, or applicable standards of other agencies?

**Less than significant with mitigation.** Construction activities will temporarily increase noise levels in those areas subject to sewer installation and at areas adjacent to the proposed WWTF site. The use of construction equipment will generate noise estimated by EPA as follows. Compactors, front loaders, backhoes, scrapers, graders and pavers produce 72-95 dB at 50 ft. distance. Trucks typically generate 82-93 dB at 50 feet distance.

The Town of Yucca Valley's General Plan uses California Department of Health Services noise standards which specify peak hour Leq noise may exceed 70 dB during working hours based upon the type of equipment to be operated. To prevent short term noise impacts the lead agency should ensure that appropriate mitigation measures are employed including limiting construction to daylight hours, ensuring that all construction vehicles be equipped with properly operating and maintained mufflers, ensuring employees wear hearing protection devices, and the utilization of temporary noise barriers.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

**Less than significant.** See discussion above in section XI(a).

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

**Less than significant with mitigation.** The proposed WWTF will produce noise from treatment plant activities and the use of pumps. The lead agency should ensure that long term noise control devices are utilized to meet the Town's residential threshold of 65 dBA.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

**Less than significant with mitigation.** The proposed project will temporarily increase noise levels as mentioned above. These noise levels can be controlled to acceptable levels using mitigation measures as detailed above.

- 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?

**No Impact.** The proposed project is located approximately three miles east of Yucca Valley Airport and will not expose people residing or working there to excessive noise levels.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**No Impact.** See response above.

## **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)?

**Less than significant.** The proposed project is intended to provide services only for existing and planned development. There is limited potential for the availability of sewer service to encourage development of currently undeveloped parcels within the Town of Yucca Valley. The type and density of development in the areas to be sewerred are controlled by the Town of Yucca Valley's land use designations. The proposed project is considered to be growth accommodating, not growth inducing as it will provide sewer service to development that is approved or allowed by the agencies having control over land uses. The proposed wastewater collection and treatment systems are not forecast to result in growth beyond that which would occur without this infrastructure, and thus has little potential to cause any substantial population growth either directly or indirectly.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

**No Impact.** The proposed project will not result in the displacement of any housing.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**No Impact.** The proposed project will not result in the displacement of any people.

### **XIII. Public Services**

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

- Fire protection?
- Police protection?
- Schools?
- Parks?
- Other public facilities?

**Less than significant.** The proposed construction of a municipal wastewater collection and treatment systems are improvements to public services for an existing population and thus are not forecast to create any additional demands for other public services.

### **XIV. Recreation**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**No Impact.** The proposed project is not forecast to create any additional demand for recreation facilities as they are designed to serve an existing population.

b) Does the project include recreational facilities or require the construction or expansion or recreational facilities which might have an adverse physical effect on the environment?

**No Impact.** The proposed Basin Plan Amendment and associated construction of wastewater collection and disposal systems will not involve and will not cause the construction or expansion of recreational facilities which might have an adverse effect on the environment.

### **XV. Transportation/Traffic**

Would the project:

a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

**Less than significant.** The proposed Basin Plan amendment does not increase the flow of traffic. Construction of the municipal wastewater collection system may divert the flow of traffic on some street through detouring while construction takes place. Detouring is not expected to be substantial in relation to existing traffic loads capacity of the street system.

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

**Less than significant.** The proposed project will not generate sufficient traffic during construction or operations to reduce the level of service on any of the roads that serve the project area..

- 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?

**No Impact.** The proposed project does not have the potential to affect any air traffic patterns.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Less than significant with mitigation.** The proposed project areas traffic flows will only be affected during the construction periods. No new permanent road hazards are forecast to occur during construction. During construction potential road hazards will occur and mitigation will be required to control traffic in a safe manner. Traffic management resources such as flaggers, protective devices and police assistance for traffic control may be employed.

- e) Result in inadequate emergency access?

**Less than significant with mitigation.** The lead agency should take steps to ensure that adequate emergency access to all occupied properties is provided during construction.

- f) Result in inadequate parking capacity?

**Less than significant.** The proposed project does not create the need for new parking capacity other than at the site of the WWTF. It is expected that no more than 20 vehicles might be at the WWTF site at any one time during operation, and there is more than sufficient room at the site to provide all necessary parking.

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

**Less than significant.** The proposed project has no potential to conflict with plans policies or programs supporting alternative transportation.

## **XVI. Utilities and Service Systems**

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

**Less than significant with mitigation.** The proposed project will be subject to WDRs and must be designed to meet those requirements.

- 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?

**Less than significant.** The most likely project alternative is the construction of municipal wastewater collection, treatment, and disposal systems. The lead agency's CEQA documents will address the potential environmental impacts of the chosen manner of compliance with the septic prohibition.

- 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?

**Less than significant with mitigation.** As discussed above in section VIII(d) the WWTF will include a stormwater retention basin. Temporary stormwater management measures will be implemented during construction of the wastewater collection and treatment systems

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

**Less Than Significant.** The proposed project will not substantially increase the demand for water supplies. The water requirements of the WWTF are expected to be equivalent to four or five equivalent dwelling units.

- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**Less than significant.** The proposed project includes the construction of a new WWTF and therefore will not generate any wastewater or affect the treatment capacity of any existing wastewater treatment provider.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

**Less than significant.** The proposed project includes the construction of a new WWTF, which will generate biosolids and other solid wastes. The Landers Landfill has the ability and the capacity to accept these wastes.

- g) Comply with federal, state, and local statutes and regulations related to solid waste?

**Less than significant.** The lead agency should take steps to ensure that all federal, state and local statutes and regulations related to solid waste are complied with.

## **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? Based on currently planned projects and existing data, the implementation of BMPs and the corresponding sediment reduction do not show evidence of degradation of the quality of the environment, substantial reduction of habitat, fish or wildlife species, or it's population.

Less than significant with mitigation

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.)? Based on currently planned projects and existing data, the implementation of BMPs and the corresponding sediment reduction do not show evidence of cumulative considerable impacts.

Less than significant with mitigation

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Based on currently planned projects and existing data, the implementation of BMPs and the corresponding sediment reduction do not show evidence of substantial adverse effects on human beings either directly or indirectly.

Less than significant with mitigation

## **XVIII. ALTERNATIVES DISCUSSION**

### **A. No Project Alternative**

The "No Project" alternative would be no action by the Regional Water Board to adopt the amendment prohibiting the use of septic tank-subsurface wastewater disposal systems in the Town of Yucca Valley. This alternative would not accomplish the purpose of the prohibition, which is to correct ongoing violations of the Basin Plan water quality objectives applicable to Warren Sub-basin ground water, and beneficial use impairments. This alternative would result in continued violation of water quality standards, threats to public health, and noncompliance with the state anti-degradation law (State Water Board Resolution No. 68-16). It is precisely because of these problems that law dictates a regulatory action. Therefore, the "No Project" alternative is not acceptable.

### **B. Preferred Alternative**



The "Preferred Alternative" has been the basis for all discussions in the Staff Report, Basin Plan Amendment and CEQA information. The proposed project calls for the prohibition of subsurface wastewater disposal systems in the Town of Yucca Valley. The construction of a municipal centralized wastewater collection and treatment systems is the recommended and preferred alternative to ensure compliance with the prohibition. The wastewater currently being discharged from septic systems will be sent to the new WWTF for treatment prior to release into the environment via percolation ponds. These alternatives, although costly, reduce the threat of groundwater contamination emanating from subsurface wastewater disposal systems, and better control the wastewater characteristics that will ultimately affect the environment.

### **C. Secondary Alternative**

Another alternative is to pass the Basin Plan Amendment, and construct cluster wastewater collection and treatment systems in neighborhoods in the Town of Yucca Valley. This alternative would additionally reduce the threat of groundwater contamination and represent better control over wastewater characteristic, but the cost associated with constructing and permitting multiple new wastewater treatment facilities may lead to decreased public and political support.

## **CUMULATIVE EFFECTS**

Overall, the proposed amendment to prohibit the discharge of wastes from septic systems in the Town of Yucca Valley will have minimal to no impact on the environment once construction of the municipal wastewater collection and treatment systems is complete. However, construction and excavation work to install these systems may affect human health and biologically sensitive species in the area through the production of particulate matter, volatile organic compounds, and noise associated with excavating earth and installing the piping in the valley.

## **STATEMENT OF OVERRIDING CONSIDERATIONS AND DETERMINATION** (California Code of Regulations, title 14, section 15093.)

The Regional Water Board staff has balanced the economic, legal, social, technological, and other benefits of this proposed prohibition of septic tank discharges against the unavoidable environmental risks in determining whether to recommend that the Regional Water Board approve the prohibition. Upon review of the environmental information generated for this prohibition and in view of the entire record supporting the need for a prohibition, staff has determined that specific economic, legal, social, technological, environmental, and other benefits of this proposed prohibition outweigh the unavoidable adverse environmental effects, and that such adverse environmental effects are acceptable under the circumstances and because they are not significant individually or cumulatively. This determination is based upon the fact that most of the identified significant adverse impacts from the reasonably foreseeable means of compliance are temporary nuisance impacts associated with abatement of the use of septic systems and/or the construction of compliance projects. The foreseeable means of compliance are generally accepted beneficial infrastructure amenities in most municipal jurisdictions, and are

typically installed for the benefit of the community irrespective of their potential growth inducing and other impacts associated with their construction and operation. Furthermore, the reasonably foreseeable means of compliance with the prohibition are expected to result, over the long term, in positive environmental improvements to the environment, including water quality.

## **RECOMMENDATION**

While the “No Action” alternative avoids impacts due to construction and operation of wastewater management projects, it allows continued impairment of ground water in Yucca Valley. Based on the foregoing, staff concludes that the proposed project (Regional Board prohibition) is the most environmentally advantageous program.

APPENDIX A

HDWD MITIGATED NEGATIVE DECLARATION

## Mitigated Negative Declaration

- Lead Agency:** Hi-Desert Water District (HDWD or District))
- Project Title:** Hi-Desert Water District Water Reclamation Facility, Wastewater Treatment Plant and Sewer Collection System Project
- SCH Number:** #2009061035
- Project Location:** The proposed project is located within the Town of Yucca Valley in the County of San Bernardino. The proposed interim wastewater treatment plant facilities will be located approximately 1,000 feet south of State Route 62 (SR 62) (Twentynine Palms Highway), east of Indio Avenue, north of Sunnyslope Drive, and west of La Contenta Road.
- Project Description:** This project consists of the construction and installation of the following components. The District intends to initially sewer the central portion of the Town of Yucca Valley to convey an annual average flow of 2 MGD of wastewater to the Wastewater Reclamation Facility (WRF) currently discharged to septic tanks. This initial project is referred to as Phase 1. In the future, if the Phase 1 facilities do not adequately protect groundwater quality, or if the RWQCB requires more areas to be sewered, or if additional capacity is needed, the collection, treatment and disposal facilities will be expanded to collect an additional 1 MGD of sewage. The additional facilities are referred to as Phase 2 facilities. Phase 3 facilities will be designed to collect an additional 1 MGD of wastewater flow for a total system capacity of 4 MGD. Ultimate build-out in the District's Yucca Valley service area could be as high as 6 MGD, but due to the area's slow rate of growth, this is not forecast to occur until the distant future. The wastewater will be treated to meet Title 22 recycled water standards/requirements and will be delivered to recharge basins operated by the District on the WRF site to percolate the treated effluent into the Warren Valley Groundwater Basin (Basin).
- The Hi-Desert Water District is seeking funds from the U.S. Bureau of Reclamation (BOR) to partially pay for constructing the facilities. The BOR has made a separate environmental determination for this project consistent with the requirements of the National Environmental Policy Act (NEPA) and based on the analysis and findings contained in the final document package.
- Finding:** Hi-Desert Water District's decision to implement this project is a discretionary decision or "project" that requires evaluation under the California Environmental Quality Act (CEQA). This Mitigated Negative Declaration (MND) is the HDWD's CEQA determination for this project.
- Initial Study:** Copies of the Initial Study/Environmental Assessment are available for public review at the District's office at 55439 Twentynine Palms Highland, Yucca Valley, CA 92284. The CEQA public review and comment period for the IS/EA and proposed MND closed on July 9, 2009.

**Mitigated Negative Declaration, page 2 of 2**

**Mitigation**

**Measures:**

All mitigation measures identified in the IS/EA and Final MND package have been adopted as conditions of the project and will be implemented through a Mitigation Monitoring and Reporting Program MMRP adopted with this Mitigated Negative Declaration.

  
Signature (Public Agency)      General Manager      Title      10-8-09      Date

HDWDs Initial Study/Environmental Assessment, which was adopted as part of the Mitigated Negative Declaration, and their Mitigation Monitoring and Reporting Program are available via the internet at:

<http://www.hdwd.com/Projects/WastewaterTreatmentWaterReclamationProject/EnvironmentalReport.aspx>