California Environmental Quality Act
(CEQA)

INITIAL STUDY

for

General Waste Discharge Requirements and General Water Quality Certification
for
Discharges Related
to
Sediment Reduction and Road Maintenance and Construction Activities
in the Gualala River Watershed

July 2025

California Regional Water Quality Control Board, North Coast Region

5550 Skylane Blvd.
Santa Rosa, CA 95403

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I. EXECUTIVE SUMMARY

The North Coast Regional Water Quality Control Board is proposing to develop a new water quality permit that will apply to landowners with rural roads in the Gualala River Watershed. The permit, also referred to as “order” or “project” in this Initial Study, will require landowners to maintain their roads to reduce erosion and sediment discharges to watercourses. Landowners above a certain size threshold and those with roads that pose a high risk to water quality will be required to take additional action, such as inventorying, assessing, prioritizing, and treating sediment sources on their roads within a given period. The permit is necessary to 1) address excess sediment and elevated water temperatures in the watershed that are negatively affecting water quality conditions for native salmon and trout populations, such as coho and steelhead, among other beneficial uses of water, and 2) comply with state water quality statutes and regulations to prevent and minimize sediment pollution and improve watershed conditions. The permit is focused on sediment sources on private, rural roads because road-related sources account for approximately 85% of sediment pollution in the watershed (see Need for Project section for more detail).

This Initial Study evaluates the potential environmental impacts that may occur if the permit is issued and the requirements within it are implemented as intended. Environmental impacts evaluated in this Initial Study focus on those resulting from 1) road work conducted to implement sediment control and reduction measures on existing roads and 2) construction of new storm-proofed roads as required by the Order. The environmental baseline considered in determining relative potential environmental impacts from issuing the permit is the existing conditions of roads in the Gualala River Watershed without implementation of management measures to prevent or minimize sediment discharges.

Many environmental factors were determined to have *no impact* or a *less-than-significant impact* resulting from permit issuance. Some environmental factors were determined to have a *less-than-significant impact with mitigation*; discussion of these factors include specific mitigation measures that could be included in the permit to minimize and mitigate potential impacts from ground-disturbing activities. Lastly, several environmental factors were determined to have *potentially significant impacts* from permit issuance, including Agricultural and Forest Resources and Biological Resources. The main factor in the *potentially significant impact* determinations is the potential impacts from new road construction, due to the potential for permanent modification of the landscape to result in unavoidable significant impacts, including removal of topsoil, altering topography, intercepting shallow groundwater and surface runoff, compacting the roadbed and creating impermeable surfaces, altering agricultural land out of production, and removing plants.

Based on this Initial Study, the proposed project may have a significant effect on the environment, and an **Environmental Impact Report** is required and will be subsequently developed. The Environmental Impact Report will focus on the

impacts determined by the Initial Study to be *potentially significant* and *less than significant with mitigation*.

II. PROJECT DESCRIPTION AND BACKGROUND

A. Project Title

General Waste Discharge Requirements and General Water Quality Certification for Discharges Related to Sediment Reduction and Road Maintenance and Construction Activities in the Gualala River Watershed[1]

B. Lead Agency Name and Address

California Regional Water Quality Control Board, North Coast Region
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

C. Contact Person and Phone Number

Devon Rabellino, (707) 576-2701

D. Project Location

Gualala River Watershed – Mendocino and Sonoma Counties

E. Project Sponsor's Name and Address

California Regional Water Quality Control Board, North Coast Region
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403
Attn: Devon Rabellino

F. Brief Description of Project

The North Coast Regional Water Quality Control Board (North Coast Water Board) staff intend to recommend that the North Coast Water Board, as Lead Agency, adopt General Waste Discharge Requirements and General 401 Water Quality Certification for Discharges Related to Sediment Reduction and Road Maintenance and Construction Activities in the Gualala River Watershed (Project or Order). The purpose of the Order is to reduce sediment pollution from private, rural, unpaved roads and regulate discharges of sediment from road improvement activities.

The Order will regulate sediment discharges from road-related activities, including road maintenance and construction, implementing the plans, policies, and requirements set forth in the Water Quality Control Plan for the North Coast Basin (Basin Plan) and the Sediment Total Maximum Daily Load for the Gualala River Watershed (Gualala Sediment TMDL). Developing the Order fulfills the objective of the Nonpoint Source Policy[2], which requires nonpoint source

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[1] Please note that the project title is subject to change as the project is further developed.
[2] *The Policy for the Implementation and Enforcement of the Nonpoint Source Pollution Control*

discharges to be covered by Waste Discharge Requirements, Waiver of Waste Discharge Requirements, or prohibitions.

G. Need for the Proposed Project

The Gualala River Watershed was listed on the Section 303(d) list of impaired waters due to elevated sedimentation in 1993. Development of a TMDL was necessary to quantify the natural and management-related sediment sources in the watershed, determine the loading capacity of the watershed for sediment, and establish the sediment load allocations necessary to return water quality to a condition supportive of beneficial uses. A lawsuit settled in federal district court in 1997 between 14 environmental and fishing industry groups and the U.S. EPA (consent decree) established a schedule by which TMDLs would be completed for sediment and temperature impaired waters in the North Coast Region. North Coast Water Board staff developed a technical support document (TSD)[3] evaluating sediment conditions in the Gualala River Watershed, which U.S. EPA used as the basis for establishing the Gualala River Sediment TMDL in 2001.

In 2005, the North Coast Water Board adopted an amendment to the Basin Plan which incorporates by reference the *Total Maximum Daily Load Implementation Policy Statement for Sediment-Impaired Receiving Waters in the North Coast Region,* Resolution R1-2004-0087, (Sediment TMDL Implementation Policy). Implementation actions for all North Coast sediment TMDLs, including U.S. EPA established TMDLs, are addressed through the adopted Sediment TMDL Implementation Policy and by extension, the findings of the Sediment Implementation Policy Statement. Specifically, the Sediment TMDL Implementation Policy states that the North Coast Water Board will rely upon all its existing authorities and programs to implement TMDLs established for sediment impaired waters in the North Coast Region. The Sediment TMDL Policy Statement also envisioned that, at the Executive Officer's discretion, U.S. EPA established TMDLs would be brought before the North Coast Water Board for future consideration as amendments to the Basin Plan, pointing to the requirements of Sections 303(d)(2) and 303(e)(3) of the Clean Water Act as foundational.

In 2021, a lawsuit was filed against the North Coast Water Board by Friends of the Gualala River (FoGR), contending that the Gualala River Sediment TMDL had not been incorporated into the Basin Plan as required under Sections 303(d)(2) and 303(e)(3) of the Clean Water Act. The North Coast Water Board and FoGR came to a stipulated settlement agreement to resolve the matter. The

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Program may be reviewed at the following webpage: https://www.waterboards.ca.gov/water_issues/programs/nps/docs/plans_policies/NPS%202020-25%20Accessible%20MH%203.9.21.pdf.

[3] The *Technical Support Document* may be reviewed at the following webpage: https://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/gualala_river/pdf/8_15_2001_gualala_river_watershed.pdf.

agreement was entered as a Stipulated Judgment in Mendocino County Superior Court on April 6th, 2023, and included the following two main components:

- the North Coast Water Board will undertake a public process to incorporate the Gualala Sediment TMDL into the Basin Plan; and

- the North Coast Water Board will undertake a public process to develop an order or orders to address road-related sediment discharges in the Gualala River Watershed.

The objective of the Gualala River Sediment TMDL source analysis was to identify sources of sediment that have a negative impact on beneficial uses of the watershed. The source analysis considered both natural erosion processes and human-induced activities such as road construction and timber harvesting. On behalf of U.S. EPA, North Coast Water Board staff utilized multiple methods for this purpose, including examining aerial photos to identify landslides and roads, conducting fieldwork to quantify sediment delivery and determine the causes of significant features, selecting field plots randomly based on geology and vegetation characteristics, and conducting a specialized study of public roads. Due to access limitations, erosion estimates were extrapolated from random field plots to encompass the entire Gualala watershed. All sediment sources identified in the TSD are divided into respective subwatersheds and categorized as either natural or human-caused. Detailed information on methods, extrapolation, and limitations can be found in the TSD.

Natural sediment sources account for approximately 31% of the total watershed sediment load and the human-caused sources account for approximately 69% of the total watershed sediment load. Of the human-caused sediment load, road-related sources account for approximately 85% and timber harvest related sources account for approximately 15%. The largest individual category for the entire watershed is road-related landslides which equals approximately 44% of the human-caused total.

H. Roads in the Gualala River Watershed

Most roads in the Gualala River Watershed are one or two lanes wide with natural, gravel, or other road surfacing that were originally constructed to relatively low standards, with a limited budget, and intended to support rural land uses. They may be “legacy” roads originally constructed as railroad grades, wagon trails, or historic logging roads. Often, rural roads were constructed in locations that were necessary to match the construction equipment and technologies of the day and often lacked modern design principles and environmental protection standards. However, many historic road networks have remained on the landscape and now service contemporary land use practices.

Without incorporation of management measures designed to minimize sediment discharge, rural roads can cause: 1) increased chronic sediment discharges from hydrologically connected road segments; 2) increased potential for stream

diversions (stream channel capture), rill and gully erosion, and shallow landslides, and; 3) discharge of significant portions of earthen material contained in stream crossings due to episodic failures of plugged or malfunctioning stream crossing structures.

Roads often alter the hydrologic pattern of natural stream networks. Their intersection of the hillslope disrupts the natural surface and subsurface flow of runoff, and many roads were originally designed to be hydrologically connected to watercourses. Inboard ditches capture this runoff from the hillslope, road surface, and cutslopes, and deliver it to another location, usually through a stream crossing or a cross-drain (ditch relief culvert).

Roadways are a source of materials that, when washed into watercourses, can degrade water quality and harm aquatic life. They are also a medium for transporting substances deposited on the roadway, such as oil and grease from vehicles. In urban areas, roadway runoff is often a major source of chemical contaminants. In rural roads throughout the North Coast Region, sediment is the primary water quality concern from roads.

Fine sediment, in particular, adversely affects salmon and steelhead habitat by filling in pools and spawning gravels. Too much fine sediment can smother eggs laid in stream gravels and reduce the quality of aquatic invertebrates available as fish food. When in suspension, fine sediment creates turbid water conditions which, when excessively high, can affect the gills and respiratory health of fish and impact aquatic invertebrates.

When roads are hydrologically connected to watercourses, the concentrated flow of water can generate sediment if it crosses on unprotected soils, develops gullies, or cuts into stream banks. Roads can also trigger landslides from oversaturated conditions, especially on poorly compacted or over steepened fill-slopes. Disconnecting roads from streams involves limiting the concentration of surface discharge and using permeable soils on the natural ground below road fill-slopes to infiltrate runoff and convert it to subsurface flow before it can reach a stream.

Poor road construction and maintenance are associated with higher erosion rates. In contrast, routine maintenance removes sediment deposited in roadside ditches from cut bank erosion and other sources and minimizes the opportunity for it to enter a stream. Stream crossing sites represent most of the potential erosion due to the volume of material that could be washed out from crossing fill failures (and diversions) at undersized culverts that become blocked with debris during a flood event.

Remedial measures to correct existing and potential road erosion include, but are not limited to, replacing undersized culverts, creating critical dips at stream crossings, out sloping the road surface, adding more ditch relief culverts to in-sloped roads, rocking or paving the road surface, re-establishing natural drainage

patterns, revegetating cut banks and fill-slopes, and repairing culverts that are poorly designed, constructed, or undersized.

Such sediment control measures have become standard on many well managed rural ownerships throughout the North Coast. A proactive approach to road and stream crossing construction, reconstruction, decommissioning and maintenance is effective and essential to controlling sediment discharge from roads as well as preventing road failures that impede critical access to remote areas. Numerous guidance documents or manuals are readily available that provide information on general principles and specific practical specifications for reducing sediment discharge from roads. In the North Coast Region, one such widely used reference document for planning, designing, constructing, reconstructing, maintaining, and decommissioning roads on forestlands that was developed and subsequently updated with support from North Coast Water Board staff is the *Handbook for Forest, Ranch, and Rural Roads* (Weaver, Hagans, and Weppner, 2015) (PWA Handbook). The PWA Handbook contains practical and comprehensive guidance for designing, constructing, reconstructing, maintaining, and decommissioning rural roads that North Coast Water Board staff have determined to be adequate and necessary to control sediment discharge and protect beneficial uses of water from roads.

Similar guidance can be found from other sources as well, such as the *Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds* (5C Roads Manual), *California Forest Practice Rules, "Road Rules"*[4] and *Designing Stream crossings for Passage of 100-Year Flood Flows, Wood, and Sediment* (Caferatta et al., 2017). These documents provide practical field guidance on construction best management practices (BMPs) that were developed and tested in Northern California, which taken as a whole, provide information that is generally equivalent to that provided in the PWA Handbook. Road, trail, and stream crossing projects that implement applicable BMPs from these guidance documents, are considered to result in long-term protection of water quality and meet the objectives of ecological enhancement.

I. Conceptual Framework of the Order

The North Coast Water Board is proposing to develop a new water quality permit (i.e., Order) that will affect landowners in the Gualala River Watershed. The permit aims to address high amounts of sediment and elevated water temperatures that are harming the river's ecosystem, particularly its native salmon and trout populations.

The Order will require all landowners in the watershed to maintain their roads to reduce erosion and sediment discharges to watercourses. Landowners above a certain numeric threshold (e.g., ownership acreage) and landowners with roads

[4] (Cal. Code Regs., tit. 14, §§ 923)

that are determined by the North Coast Water Board to pose a high risk to water quality will have additional Order requirements, which may include the following:

- inventory and assess roads and stream crossings;
- prioritize areas for repairs;
- repair sediment sources on their roads;
- monitor and report on progress of repairs;
- follow an implementation schedule for road repairs; and
- maintain their roads to prevent future erosion.

For landowners who meet the numeric threshold or risk to water quality threshold, road repairs will involve hydrologically disconnecting road segments from streams and upgrading or replacing stream crossings where deemed necessary. Hydrologically disconnecting roads from streams involves installing or maintaining drainage features to prevent runoff from flowing directly from the road surface into nearby waterways. Upgrading stream crossings involves improving structures like undersized culverts to ensure that they allow water to flow naturally while minimizing and preventing erosion and impacts to aquatic species. The Order will require landowners to implement treatments according to the standards included in certain guidance documents such as the PWA Handbook, consistent with acceptable road improvement standards (see *Road Improvement Fundamentals* below).

The Order will also permit new road construction, which will ensure that any new roads are designed and constructed in such a manner as to incorporate all applicable management measures to prevent or minimize sediment discharge.

This permit is in the early stages of development, and the North Coast Water Board is committed to engaging the public throughout this process. Landowners and community members will have multiple opportunities to provide input and inform the final permit requirements. Please see the Watershed Assessment and Recovery Unit's webpage for further details on how to get involved and share your perspectives and input: https://waterboards.ca.gov/northcoast/water_issues/programs/waru/.

J. Road Improvement Fundamentals

A critical element of controlling sediment discharges from roads is to apply storm-proofing treatments. The PWA Handbook includes a list of storm-proofed roads characteristics, which is reproduced below.

Storm-proofed stream crossings:

- All stream crossings have a drainage structure designed for the 100-year flood flow (including woody debris and sediment).
- Stream crossings have no diversion potential (functional critical dips are in place).

- Culvert inlets have low plug potential (trash barriers or deflectors are installed where needed).
- Culverts are installed at the base of the fill and in line with the natural channel.
- Any existing culverts or new emergency overflow culverts that emerge higher in the fill have full round, anchored downspouts that extend to the natural channel.
- Stream crossing culvert outlets are protected from erosion (extend culverts at least 6 feet beyond the base of the fill and use energy dissipation, where needed).
- Culvert inlet, outlet and bottom are open and in sound condition.
- Deep fills (deeper than a backhoe can reach from the roadbed) with undersized culverts or culverts with high plugging potential are fitted with an emergency overflow culvert.
- Bridges have stable, non-eroding abutments and do not significantly restrict 100-year flood flow.
- Stream crossing fills are stable (unstable fills are removed or stabilized).
- Approaching road surfaces and ditches are “disconnected” from streams and stream crossing culverts to the maximum extent feasible using road shaping and road drainage structures.
- Class I (fish-bearing) stream crossings meet State Fish and Wildlife and National Marine Fisheries Service fish passage criteria.
- Decommissioned stream crossings are excavated to exhume the original, stable, stream bed and channel sideslopes, and then stabilized with mulch and vegetation.

<u>Storm-proofed road and landing fills</u>:

- Unstable and potentially unstable road and landing fills that could deliver sediment to a stream are excavated (removed) or structurally stabilized.
- Excavated spoil is placed in locations where eroded material will not enter a stream.
- Excavated spoil is placed where it will not cause a slope failure or landslide.

<u>Storm-proofed road surface drainage</u>:

- Road surfaces and ditches are hydrologically “disconnected” from streams and stream crossing culverts. Road surface runoff is dispersed, rather than collected and concentrated.
- Ditches are drained frequently by functional ditch relief culverts, rolling dips or cross road drains.
- Outflow from ditch relief culverts does not discharge to streams.
- Ditch relief culverts with gullies that deliver to a stream are removed or dewatered.
- Ditches and road surface drainage do not discharge (through culverts, rolling dips or other cross drains) onto active or potential landslides.

- Decommissioned roads have permanent drainage and do not rely on ditches.
- Fine sediment contributions from roads, cutbanks and ditches are minimized by utilizing seasonal closures and installing a variety of surface drainage techniques including berm removal, road surface shaping (outsloping, insloping or crowning), rolling dips, ditch relief culverts, waterbars and other measures to disperse road surface runoff and reduce or eliminate sediment delivery to the stream.

K. Environmental Baseline

This Initial Study evaluates all environmental impacts resulting from adoption of the Order and implementation of road projects permitted under the Order.

Under CEQA, the impacts of a proposed project must be evaluated by comparing expected environmental conditions after project implementation to conditions at a point in time referred to as the baseline. The changes in environmental conditions between those two scenarios represent the environmental impacts of the proposed project. The description of the environmental conditions in the project study area under baseline conditions is referred to as the environmental setting.

For the purposes of analyzing the potential environmental impacts resulting from adoption of the Order, baseline is the existing conditions of roads in the Gualala River Watershed without implementation of management measures to prevent or minimize sediment discharge. Table 1 below shows an estimate of average road density in the five major subwatersheds taken from the Gualala River TMDL. Without adoption of the Order, most of the required work upgrading roads to prevent or minimize sediment discharge would not be conducted. However, the Order would also provide North Coast Water Board permit coverage for construction of new roads that fully implement all applicable storm-proofing measures. As such, the environmental impacts evaluated in this Initial Study are those resulting from road work conducted to implement sediment control measures on existing roads as well as the impacts of construction of new storm-proofed roads as required by the Order.

Table 1: Road density (mi/sq mi) by subwatershed in the Gualala River Watershed.

Subwatershed	Road Density (Mi/Square Mi)
North Fork	6.1
Rockpile Creek	4.8
Buckeye Creek	5.7
Wheatfield Fork	4.0
South Fork	4.8

The goal of reducing road-related sediment on properties that meet the applicable numeric threshold or water quality risk thresholds is to decrease sediment discharges from roads, thereby significantly improving aquatic resources within the watershed. However, this Initial Study recognizes that implementation of the sediment reduction work entails significant excavation and ground disturbance. Likely the most significant environmental impacts are those resulting from new road construction. While the Order would ensure that new roads will implement all applicable measures to reduce sediment discharge, and require incorporation of enforceable management measures to mitigate incidental impacts from the construction work, this Initial Study recognizes that construction of new roads fundamentally alters the landscape within the road's footprint in such a manner that those impacts cannot be fully mitigated to less than significant.

Regulations and procedures for approving rural road projects are different in each county in the watershed, some of which may include requirements generally equivalent to BMPs that may be required by the Order. Rural road projects are commonly conducted for a variety of reasons, which may include considerations of environmental protection on an individual property or as part of larger watershed restoration efforts; maintenance, repair or upgrading of worn, failing inadequate infrastructure; new development or expanded access; and response to an enforcement action or fulfillment of other regulatory requirements. The Order would set forth programmatic requirements to address environmental impacts within the North Coast Water Board's purview. The CEQA analysis for the Order considers the reasonably foreseeable impacts that will result from implementation of potential Order requirements. Individual projects that could have environmental impacts outside the scope of the Order's requirements may still be subject to a project level CEQA analysis as required by the appropriate lead agency at the time of project approval. None of the requirements contained within the Order would supersede any mitigation measures or other project requirements that the approving local agency deems appropriate after conducting its own CEQA analysis. Adoption of the Order and establishing requirements that BMPs be incorporated into project design and implemented on the ground would largely result in increased environmental protection and positive impacts. However, there may be impacts to some environmental factors resulting from incorporating required BMPs into projects.

BMPs from the PWA Handbook and other references include mitigation measures to protect the environment during construction and post construction stabilization, essentially “mitigating the mitigations,” and presents a list of standard mitigation measures to prevent or minimize impacts to water quality as well as specific other environmental factors analyzed in the CEQA Environmental Checklist.

Implementation of BMPs required by the Order to prevent or minimize sediment discharge from existing roads would have the potential to result in some short-term impacts to stream and riparian areas as well as other environmental resources. The anticipated outcome of much of the work required by the Order is a long-term environmental benefit of greatly reducing road-related sediment discharges. Short-term incidental impacts resulting from this work can be minimized by implementation of appropriate mitigation measures as described in the section below. The Order would require project proponents to utilize and implement standard BMPs for project activities, such as those identified in the PWA Handbook, when implementing remediation and restoration activities, which may include, but are not limited to, the following:

- temporal limitations on ground disturbance activities, which include seasonal, restrictions;
- limitation on earthmoving and construction equipment to minimize soil and compaction;
- erosion control requirements to stabilize areas disturbed during project activities;
- guidelines for minimizing impacts from channel excavation and stream bank stabilization;
- limitations on work in streams and wet areas;
- guidelines for temporary stream diversion and dewatering in flowing streams;
- protection of sensitive species; and
- protection of Cultural and Tribal Cultural Resources.

Potential impacts, including those that cannot be mitigated to less than significant, will be discussed in this Initial Study.

L. Surrounding Land Uses and Setting

The Gualala River flows into the Pacific Ocean near the Town of Gualala approximately 114 miles north of San Francisco (Figure 1). The Gualala River Watershed drains approximately 298 square miles, or 190,720 acres, of mostly mountainous and rugged terrain in both Sonoma and Mendocino Counties. The Mendocino-Sonoma county boundary runs down the center of the mainstem Gualala River. The primary population centers are the towns of Gualala, Sea Ranch, Stewarts Point, and Annapolis and are concentrated along the Pacific coastline.

Land uses include timber management, grazing, various agriculture such as vineyard and cannabis, rural residential, and recreation activities such as water sports, fishing and hunting.

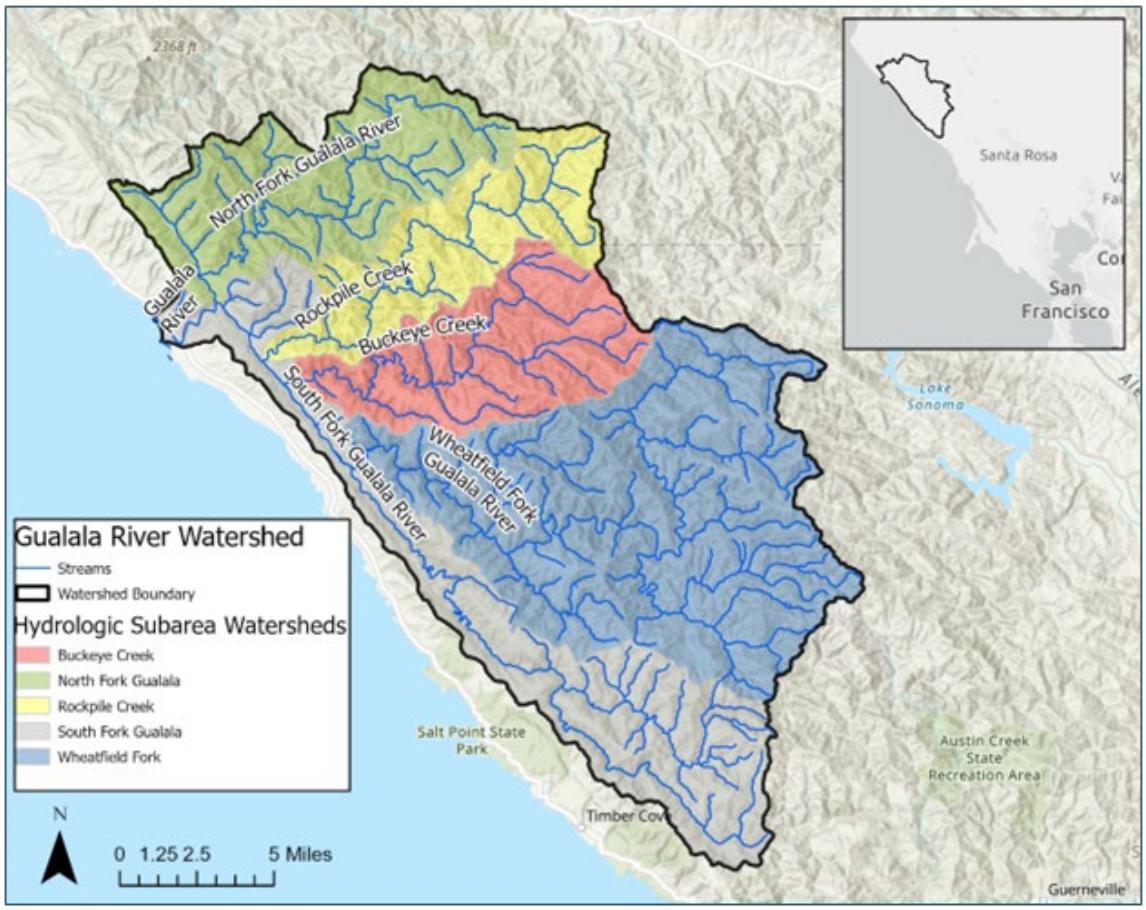

Figure 1: Gualala River Watershed, streams, and subwatershed boundaries.

The Gualala River Watershed consists of five subwatersheds (Figure 1). These include the North Fork, Rockpile Creek, Buckeye Creek, Wheatfield Fork, and the South Fork. The mainstem Gualala River runs for approximately three miles from the confluence of the South Fork and North Fork to the Pacific Ocean.

The Gualala River Watershed consists of a complex network of streams characterized by rugged terrain. The San Andreas Fault cuts through the west side of the watershed and straddles the South Fork Gualala River which flows to the northwest. The watershed experiences high rates of natural erosion and landslides due to its unstable geological conditions, steep gradients, and significant precipitation. This makes the land highly susceptible to activities that exacerbate erosion.

The Gualala River Watershed has few public roads crossing it. Highway 1 crosses the mainstem Gualala River at its estuary just south of the Town of

Gualala. Stewarts Point/Skaggs Springs Road is a road managed by the County of Sonoma that connects Stewarts Point on the coast to Lake Sonoma, running along the Wheatfield Fork and Wolf Creek. Other public roads include Annapolis Road and King Ridge Road in the South Fork subwatershed, and Fish Rock Road, which is a road managed by the County of Mendocino that runs along the north boundary of the Gualala River Watershed.

M. Other Public Agencies Whose Approval is Required

This project does not preclude the need for persons/programs conducting road maintenance, construction, or reconstruction activities to obtain permits which may be required by other local, state, and federal governmental agencies. State and local agencies with approval authority over road projects covered under the Order may need to prepare project specific CEQA documentation to address project design and associated impacts that are outside the scope of the Order.

Most projects that would be permitted under this Order would require initial approval/permitting by the appropriate agency in either Sonoma or Mendocino Counties.

Section 1602 of the California Fish and Game Code (CFGC) requires any person, state or local governmental agency, or public utility to notify California Department of Fish and Wildlife (CDFW) before beginning any activity that will substantially modify a river, stream, or lake.

The US Army Corps of Engineers (USACE) may require a Clean Water Act Section 404 permit if projects are within jurisdictional waters of the United States.

Any development within the coastal zone generally may not commence until a coastal development permit has been issued by either the California Coastal Commission or a local government. The Coastal Act defines development broadly (with a few narrow exceptions), to include not only typical land development activities such as construction of buildings but also changes in the intensity of use of land or water, even where no construction is involved.

N. Consultation with California Native American Tribes

Conducting consultation with California Native American Tribes early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process[5]. Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of

[5] See Public Resources Code section 21083.3.2.

Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The North Coast Water Board is satisfying its obligation to address tribal cultural resources under the notification and consultation provisions of Public Resources Code – Assembly Bill 52 (Gatto). Tribes on the Native American Heritage Commission's Native American Contact List for Sonoma and Mendocino Counties were contacted in May 2025 and have until late June 2025 to respond to request consultation. During this notification period, the North Coast Water Board received a request for consultation from the Kashia Band of Pomo Indians of the Stewarts Point Rancheria. The North Coast Water Board and the Kashia Band of Pomo Indians of the Stewarts Point Rancheria conducted a preliminary consultation in early July. No other consultation requests were received.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project. Please see the checklist below for additional information.

☒	Aesthetics	☒	Agriculture and Forestry	☒	Air Quality
☒	Biological Resources	☒	Cultural Resources	☐	Energy
☒	Geology/Soils	☒	Greenhouse Gas Emissions	☒	Hazards and Hazardous Materials
☒	Hydrology/Water Quality	☒	Land Use/Planning	☐	Mineral Resources
☒	Noise	☒	Population/Housing	☐	Public Services
☐	Recreation	☒	Transportation/Traffic	☒	Tribal Cultural Resources
☒	Utilities/Service Systems	☒	Wildfire		

IV. DISCUSSION OF POTENTIAL EFFECTS OF THE PROJECT

CEQA requires a lead agency to prepare an Initial Study to determine whether a project may have a significant effect on the environment[6]. A "significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance[7]. If the Initial Study does not show that there is substantial

[6] Cal. Code Regs., tit. 14, § 15063, subd. (a).
[7] Cal. Code Regs., tit.14, § 15382.

evidence, in light of the whole record before the agency, that a project may have a significant effect on the environment, a Negative Declaration may be prepared. If the Initial Study identifies potentially significant effects but identifies revisions or conditions to mitigate the effects to a point where clearly no significant effects would occur, a mitigated negative declaration may be prepared[8].

The analysis first determines the extent to which each of the resources could be affected by the Order. The analysis then applies a set of specific significance criteria (Thresholds of Significance) based on the CEQA Guidelines, Appendix G: Environmental Checklist Form. The "threshold of significance" for a given environmental effect is that level at which the lead agency finds effects of the project to be significant. The threshold can be defined as a quantitative or qualitative standard, or a set of criteria, pursuant to which the significance of a given environmental effect may be determined.

The range of potential impacts are as follows:

No Impact – where the Order is not expected to create a physical adverse change in the environment or the project would result in only a beneficial impact.

Less-Than-Significant Impact – where the Order would not create a substantial adverse change in the environment and for which no mitigation measures are required.

Less than Significant Impact with Mitigation Incorporated– where the Order is anticipated to create a substantial adverse effect on the environment, but feasible mitigation measures are available to reduce it to a less-than-significant level.

Potentially Significant Impact – where the Order is expected to create a substantial adverse effect on the environment and for which there are no feasible mitigation measures available to reduce it to a less-than-significant level.

V. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

A. Aesthetics:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐

[8] Cal. Code Regs., tit.14, § 15070.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) Would the project have a substantial adverse effect on a scenic vista?

It is not anticipated that construction of new roads and implementation of BMPs on existing roads in compliance with the Order would result in a substantial adverse effect on a scenic vista. New roads and stream crossings would generally be constructed in rural areas already utilized for residential and agricultural uses such as timber harvesting, farming, and ranching. In fact, new roads can provide or improve access to previously inaccessible or hard to access locations within the watershed. Implementation of BMPs to prevent or minimize sediment discharge on existing roads also have the potential to improve aesthetics by retaining riparian vegetation to the extent feasible and requiring replanting of vegetation on bare soils disturbed by project activities. Therefore, the appropriate finding is ***less than significant impact.***

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

Approximately a half mile of State Highway 1, a designated state scenic highway, crosses the lowest part of the watershed. No other State scenic highways are located within the Gualala River Watershed. The land surrounding this section of State Highway 1 consists of parts of the Town of Gualala, public lands and steep bluff. It is highly unlikely that road work conducted pursuant to requirements of the Order will occur within the vicinity of State Highway 1 such that there would be any impact. Therefore, the appropriate finding is ***no impact.***

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

It is not anticipated that adoption of the Order, construction of new roads, and implementation of BMPs to control sediment discharge on existing roads would degrade the existing visual character or quality of public views of the site and its surroundings. New roads and stream crossings would generally be constructed on private ownerships in remote rural areas already utilized for residential and

agricultural uses such as timber harvesting, farming and ranching. Most of such areas are generally behind locked gates and inaccessible to the public. While some roads may be accessible to the public, they are likely to be infrequently used by anyone but residents and workers, as they are mostly in remote locations away from any typical tourist destinations and typically do not go through, but dead end at private gates after long and difficult drives along rough and windy dirt roads. In addition, implementation of BMPs for water quality protection have the potential to improve aesthetics by retaining riparian vegetation to the extent feasible and requiring replanting of vegetation on bare soils disturbed by project activities. In fact, roads are the primary means used to access scenic areas. Therefore, the appropriate finding is ***less than significant impact.***

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

While construction of new roads and implementation of BMPs to prevent or minimize sediment discharge on existing roads in a remote rural setting such as the Gualala River Watershed is typically conducted during daylight hours, it is possible that in some infrequent instances, lights may be brought in to continue work throughout the night. Any such use of construction lighting will last no longer than the duration of project activities, typically no longer than the summer work season. Adoption of the Order would not create a permanent new source of substantial light or glare, which would adversely affect day or nighttime views. Therefore, the appropriate finding is ***less than significant impact.***

B. 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:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

California is divided into 15 air basins, which are managed by 35 air districts. The Gualala River Watershed is located within the North Coast Air Basin and Northern Portion of Sonoma County and Mendocino County Air Districts. Air basins and air districts establish rules and regulations governing emissions, consistent with federal and state laws, including those pertaining to portable equipment registration, odor, fugitive dust, solvents (i.e., VOCs), and visible emissions. Air district rules and regulations generally require that projects limit emissions (e.g., fugitive dust, VOCs, TACs, etc.) during construction activities. Many air districts also limit emissions of odor-causing substances and particulate matter that adversely affects visibility. The State of California is required to use these limits but may also set higher standards when the California Air Resources Board determines that tighter limits would protect human health.

Implementation of Management Practices required by the Order could result in emissions of air pollutants, such as exhaust from diesel-powered equipment and fugitive dust. Implementation activities would require operation of equipment which would generate ozone precursors (i.e., NO_X, ROG), CO, and particulate matter (i.e., PM10 and PM2.5). Additionally, activities such as excavation or vehicle or truck trips on unpaved roads could generate fugitive dust emissions. Due to the nature of the Order and flexibility afforded to landowners, precise quantities of these emissions are unknown, and would depend on a number of site-specific factors. Additionally, implementation of some level of road work is ongoing under existing conditions; however, the emissions associated with these baseline activities also are not known.

In general, the emissions associated with implementation of management measures to prevent or minimize sediment discharge and/or construction of new roads are not expected to be substantial. Additionally, compliance timelines built into the Order would allow landowners time to implement management measures and undertake road construction projects. This would likely result in individual projects/activities being spaced out over time across the Gualala River Watershed, thereby reducing the likelihood of any daily or annual significance thresholds being exceeded.

While construction-related air pollutant emissions are not anticipated to be substantial and are essentially speculative in nature, compliance with applicable local air district rules and regulations would further reduce potential for impacts. Compliance with local air district rules, including any construction-related BMPs or mitigation measures required by the air district, would serve to minimize

emissions of various harmful air pollutants during construction. Implementation of other BMPs required by the Order to control dust could also help to minimize certain emissions (e.g., dust).

Construction of new roads and implementation of management measures to prevent or minimize sediment discharge from existing roads permitted under Order will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur because implementation of projects under this Order will not create any conditions that would result in a significant source of air pollution. Therefore, the appropriate finding is **less than significant impact.**

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable?

While construction-related air pollutant emissions are not anticipated to be substantial and are essentially speculative in nature, compliance with applicable local air district rules and regulations would further reduce potential for impacts. Two air districts, Mendocino County Air Quality Management District and Northern Sonoma County Air Pollution Control District, have jurisdiction over the Gualala River Watershed and, as such, specific rules and regulations applicable to individual road projects may differ based on their location.

During operation, the Order would not substantially increase emissions over existing conditions. To the extent that management measures designed to prevent or minimize sediment discharge from roads require periodic maintenance or repair, these activities could result in some emissions (e.g., from operation of equipment). However, some reasonably foreseeable Management Practices could also potentially reduce emissions of criteria dust relative to baseline conditions.

The District is listed as "attainment" or "unclassified" for all the federal and state ambient air quality standards. Particularly when considering (1) the short-term nature of construction emissions; (2) the small-scale of most reasonably foreseeable management measures; (3) the length of compliance timelines in the Order; (4) the relatively minimal likely emissions from monitoring and maintenance activities, and (5) the existing emissions occurring under baseline conditions, the Order would not result in a cumulatively considerable net increase in a criteria pollutant for which the primary project region is in nonattainment. This impact would be ***less than significant***.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

As discussed in a) above, the Order could result in implementation of various management measures which would require use of heavy construction

equipment that would emit air pollutants (e.g., diesel particulate matter [DPM] and naturally occurring asbestos). Additionally, monitoring and reporting activities could involve vehicle trips to monitoring sites, which could directly and indirectly emit air pollutants. Routine maintenance and/or repair of certain management measures also could involve the use of equipment that emits potentially hazardous pollutants.

Sensitive land uses and receptors occur sparsely throughout the Gualala River Watershed and may be in close proximity to roads in some cases. Although it cannot be known precisely where individual activities conducted under the Order will take place, it is possible that some activities may occur near sensitive receptors, i.e., children, elderly, asthmatics, and others whose are at a heightened risk of negative health outcomes due to exposure to air pollution. While the risks associated with such activities/emissions cannot be quantitatively assessed, based on the reasonably foreseeable activities under the Order, this is not likely to result in sensitive receptors being exposed to substantial pollutant concentrations.

In general, the types of equipment (and associated emissions) that may be used during activities necessary to comply with the Order are not fundamentally dissimilar from those used during normal land use activities in the watershed, such as logging, farming and ranching, which often involve use of diesel-powered tractors and equipment, which could result in the same types of emissions as may occur during construction of BMPs or other activities necessary to comply with the Order. Similarly, relatively routine road, utilities, or development projects that occur throughout the watershed, presumably many times in proximity to potential sensitive receptors, would generate similar types of construction-related emissions.

Activities necessary to comply with the Order would generally occur in rural areas, but where activities may occur in proximity to sensitive receptors, there likely would be at least some distance between the activity and the receptor. Impacts from emissions of pollutants are most severe directly adjacent to the emission source and decrease rapidly with increasing distance. For example, concentrations of mobile-source DPM emissions are typically reduced by 70 percent at approximately 500 feet (CARB 2005)[9]. As such, it is likely that potential impacts from pollutant emissions would be mitigated by typical distances between implementation of management measures to reduce sediment discharge from roads or construction of new roads and any sensitive receptors in the area. Compliance with any applicable local air district rules and regulations also would serve to further reduce potential impacts. Therefore, the finding is ***less than significant impact.***

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[9] CARB. 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005. https://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Certain activities necessary to comply with the Order could result in emission of odor-causing substances. Diesel exhaust from operation of equipment during construction or operation (e.g., maintenance or repair) activities may temporarily generate odors in the immediate area where the equipment is operated. Disturbance of soil generally, such as during construction of certain management practices, also could potentially release odors in the immediate area. Apart from these potential effects, the Order would not result in any other emissions that could adversely affect a substantial number of people.

Any odors generated due to Order activities would be short-lived and/or would occur intermittently. These odors also would not affect a substantial number of people. Although the locations of individual activities under the Order are not known, in most cases it can be assumed that Project activities would occur in rural areas with relatively few people or receptors in the area. Even in instances where activities may occur near more populated areas, the odors and other emissions would be highly localized, and potential effects would likely be limited to workers in the immediate area. As a result, this impact would be ***less than significant.***

C. Agriculture and Forest 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection (CAL FIRE) regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☒	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☒	☐	☐	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☒	☐	☐	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☒	☐	☐	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☒	☐	☐	☐

a) 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?

GIS data from the Farmland Mapping and Monitoring Program of the California Resources Agency Prime Farmland indicates there are 1383 acres of Unique Farmland, and no Prime Farmland or Farmland of Statewide Importance in the Gualala River Watershed. Implementation of management measures to prevent or minimize sediment discharge from existing roads through or adjacent to Unique Farmland will not alter existing land use or extend significantly beyond the footprint of existing roads. Implementation of such measures will reduce the potential for road-related sediment discharge, gullies and landslides, all of which can negatively impact adjacent farmlands. Therefore, implementation of BMPs required by the Order on existing roads can reduce the potential for adverse road-related impacts to adjacent farmlands.

Construction of new roads on farmlands will generally be conducted by the Farmland owners to improve access to or on the farm. However, the Order does not require the construction of new roads, and the impacts of new road construction will be addressed during a project level analysis when the new road is permitted through North Coast Water Board and additional agency (e.g., CalFire, California Department of Fish and Wildlife, or CDFW, County Permits, etc.) consultations. Nonetheless, a new road permanently alters the land along the road's footprint so that that area is no longer available for farming. The Order would include mitigations measures to minimize the impacts of construction activities, including protection of sensitive species and impacts to farmlands. The Construction of new roads permitted under the Order has the potential to convert some farmland to non-agricultural use. Therefore, the appropriate finding is ***potentially significant impact.***

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Under the Williamson Act, land enrolled in a contract is primarily restricted to agricultural uses, meaning landowners cannot develop the property for non-agricultural purposes like residential or commercial development, and any uses must be compatible with commercial agricultural production, as outlined in the contract and local ordinances. Construction of new roads permitted under the Order, including on Important Farmland and land that may be under a Williamson Act contract may result in the conversion of a small area of the farmland to non-agricultural (i.e., road right-of-way). The Order would not require such conversion but would solely be based on a landowners management objectives for the property and would potentially be subject to permits by other regulatory agencies, such as California Department of Fish and Wildlife, counties, or California Coastal Commission.

Much of the land that could be taken out of production as a result new road construction permitted under the Order is zoned for agricultural use by the applicable county government and/or is under a Williamson Act contract. Although zoning regulations in the Gualala River Watershed are subject to the jurisdiction of either Sonoma or Mendocino Counties, in general, agricultural zoning encourages conservation of agricultural lands and continuation of agricultural uses. It's likely that the much of any new road construction would be built to service agricultural operations. New road right-of-way to provide additional infrastructure to non-agricultural use is not a use that would typically be specifically prohibited in an agricultural zoning district, but it also could potentially be contrary to the purpose of the district by conserving agriculturally productive lands. As stated above, it is unknown how much agricultural land currently covered by a Williamson Act contract would be converted to new road right-of-way. Assuming most of this land is zoned for agricultural use, this conversion would conflict with the spirit of the existing zoning for agricultural use and may in some rare instances affect the eligibility of an ownership for a Williamson Act contract.

The Williamson Act is California's primary program to protect agricultural land and is fundamentally intended to prevent the conversion of agricultural lands to non-agricultural uses. Although specific Williamson Act contracts between landowners and the state could differ to some degree in their language and clauses, generally the conversion of existing agricultural land to non-agricultural uses would be assumed to conflict with the spirit of the contract. However, the Order does not require the construction of new roads, and the impacts of new road construction will be addressed during a project level analysis when the new road is permitted through North Coast Water Board and additional agency (e.g., CalFire, CDFW, County Permits, etc.) consultations. As such, this impact is considered to be potentially significant. No feasible mitigation is available to reduce these potential effects. Therefore, this impact would be ***potentially significant impact***.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Much of the Gualala River Watershed is timberland zoned for Timberland Production (as defined by Government Code Section 51104(g)). No lands within the watershed are zoned as forest land (as defined in Public Resources Code Section 12220(g)) or Timberland (as defined by Public Resources Code Section 4526). Implementation of measures to prevent or minimize sediment discharge from existing roads would not result in the loss of timberland or modify the current land use to another, and therefore, would not affect existing zoning.

New road construction within Timberland Production Zones is considered timber operations if they are to be used to transport wood products or equipment related to active timber operation and is therefore compatible with such zoning. Construction of a new road through Timber Production Zones would result in permanent conversion from timberland. Any such conversion of timberland to another use would require a permit from CAL FIRE, and in cases where a conversion exemption is not applicable, the county. A full conversion needs a Timberland Conversion Permit from CAL FIRE, CEQA to be performed by the local agency responsible for the land use change (usually county), then a Timber Harvest Plan. Because new road construction could result in conversion of timberland zoned for Timberland Production such that it may conflict with existing zoning or cause rezoning, there is a potential for significant, unavoidable impacts. Therefore, the appropriate finding is ***potentially significant impact.***

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

As described above, much of the Gualala River Watershed is forestland. Implementation of measures to prevent or minimize sediment discharge from

existing roads would not result of loss or conversion of forestlands or modify the current land use to another.

New road construction within forestland would result in permanent conversion from timberland. If the forestland meets the definition of timberland pursuant to PRC § 4526, any conversion to another use would require a permit from CAL FIRE, and in cases where a conversion exemption is not applicable, the county. A full conversion needs a Timberland Conversion Permit from CAL FIRE, CEQA to be performed by the local agency responsible for the land use change (usually county), then a Timber Harvest Plan. Because new road construction could result in conversion of forestland, the finding is ***potentially significant impact*.**

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

As discussed in a) and d) above, implementation of management measures to prevent or minimize sediment discharge from existing roads through or adjacent to Farmland or forest land will not alter existing land use or extend significantly beyond the footprint of existing roads. Construction of new roads on farmlands will generally be conducted by the farmland owners to improve access to or on the farm. However, the Order does not require the construction of new roads, and the impacts of new road construction will be addressed during a project level analysis when the new road is permitted through North Coast Water Board additional agency (e.g., CalFire, CDFW, County Permits, etc.) consultations. Nonetheless, a new road serves to permanently alter the land within the road's footprint so that that area is no longer available for farming or as forest land. Construction of new roads permitted under the Order could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use and therefore, the finding is ***potentially significant impact***.

D. Biological Resources:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife 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 Wildlife or US Fish and Wildlife Service?	☒	☐	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☒	☐	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

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

Implementation of management measures designed to prevent or minimize sediment discharge from existing roads required under the Order is expected to have a largely beneficial effect on biological resources, including special-status species and habitat. Among the primary objectives of the Order is to comply with the Basin Plan, and other relevant statutes and water quality plans and policies, including the Sediment TMDL Implementation Policy, and the Gualala River Sediment TMDL. Compliance with Order requirements intended to reduce sediment discharge from existing roads is anticipated to partially correct existing impacts on water quality and aquatic habitat.

Despite these largely beneficial effects, there is potential for some adverse impacts to occur from construction-related effects of implementation of management measures to prevent or minimize sediment discharge from existing roads required to comply with the Order. However, this potential effect is speculative, since it cannot be known which management measures will be implemented and in which locations (site-specific factors are important in determining the location of management measures). If special-status plant or animal species were to occur within areas where construction of certain management measures (i.e., those involving ground disturbance) were to take place, this could result in direct impacts to those species (e.g., mortality or injury of individuals by being crushed by vehicles and/or heavy equipment or loss of an active nest or burrow). However, the Order would include mitigation measures designed to reduce impacts to biological resources from implementation of management measures to prevent or minimize sediment discharge from existing roads to a level that is less than significant. The Order would require project proponents to utilize and implement standard BMPs for project activities when implementing required management measures to control sediment discharge from existing roads, which may include the following:

- Sensitive species - Consult with federal, state, and local agencies regarding location of rare, threatened, or endangered species. If species listed under the California Endangered Species Act (CESA) are or may be impacted by the project, a permit for the incidental take of threatened or endangered species may be needed. Permittees should contact the regional CDFW office for additional assistance.

- Prior to earthmoving, placement of soil or spoils on undisturbed areas, or modifying vegetation that may result in impacts to special status plants, sensitive natural communities, birds or raptors, project proponents must consult with CDFW to determine appropriate measures needed to avoid, reduce, and mitigate those impacts. If required by CDFW, such measures may be based on a biological assessment performed by a qualified biologist that is informed by a 9-quad occurrence search of the California Natural Diversity Database (CNDDB), an assessment of project area habitat types, and the appropriate completed CDFW endorsed protocol surveys.

- Mitigations may require revegetation plans and habitat restoration plans in addition to monitoring plans for impacted species and habitats. If the project may result in state or federal take the appropriate incidental take permit through CDFW, US Fish and Wildlife Service, or NOAA may be warranted. Pre-project surveys and proposed mitigations shall be included in the Notification to CDFW through the Environmental Permit Information Management System (EPIMS).

- Work in any stream, lake, or wetland (including hydrologically connected wet areas) shall adhere to mitigations measures and conditions under any applicable CDFW Lake or Streambed Alteration (LSA) Agreement.

- Mitigation for potential impacts to fish, amphibians, and reptiles shall be informed by appropriately timed pre-project surveys performed by a qualified biologist for any project within a fish bearing stream or stream with habitat for non-fish aquatic organisms.

- Prior to commencing work, designate and mark a no-disturbance buffer or additional seasonal restrictions as directed by applicable agency to protect sensitive species and communities.

- All work performed within waters of the state shall be completed in a manner that minimizes impacts to beneficial uses associated with habitat. Measures shall be employed to minimize land disturbances that will adversely impact the water quality of waters of the state. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete Project implementation.

- To prevent the spread of invasive organisms that are harmful to plants and animals, all equipment, including but not limited to excavators, graders, barges, etc., shall be decontaminated according to the "California Department of Fish and Wildlife Aquatic Invasive Species decontamination Protocol". The treatment listed under the "Recommendation" column shall be preferentially used, when applicable. A combination of treatments which eliminates all species listed in in the decontamination protocol's *Summary of Decontamination Methods Considered and Their Efficacy by Species*, "Appendix A," shall be used (treatments shall be performed sequentially, and chemicals shall not be mixed). The BMPs in the decontamination protocol and BMPs which limit the spread of invasive terrestrial plants shall be incorporated whenever feasible.

- Vegetation shall be established on disturbed areas with an appropriate mix of California native plants and/or seed mix. All initial plantings and seed shall be installed upon completion of the construction of the road-related sediment reduction measures.

Constructed-related effects from implementation of management measures to prevent or minimize sediment discharge from existing roads could indirectly affect species through erosion and sedimentation or incidental impacts from on-site heavy equipment operations. Construction activities conducted to comply with the Order could loosen soils and allow for erosion and off-site discharge of sediments to occur (e.g., a precipitation event washing away loose soils/sediments to nearby waterbodies) if proper precautions are not taken. However, the standard BMPs included in the Order would require construction mitigation measures for erosion control for those activities not subject to another

regulatory measure, which would reduce this potential impact. Further, mitigation measures include implementation of spill prevention, control, and countermeasures, which would avoid or minimize any potential impacts to special-status species from accidental releases of hazardous materials used in construction activities.

Construction of new roads permitted under the Order have the potential to result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. The Order would include mitigations measures to minimize the impacts of construction activities, including protection of sensitive species. However, the inherent nature of new road construction is that it significantly alters the landscape within the footprint of the new road, including changing the terrain morphology, drainage patterns, removes all existing plants and habitat, and can function as a barrier or impediment to species migration.

Depending on a given new or existing road, construction activities may also require authorization from CDFW (e.g., if construction activities were to occur within the bed or bank of a stream). In this case, CDFW may impose additional requirements for the protection of biological resources and water quality during construction or reconstruction activities.

The Order would include requirements that reconstruction of existing roads as well as newly constructed roads incorporate all applicable characteristics of “storm-proofed” roads, to be as hydrologically “invisible” as possible and minimize sediment discharge and maintenance requirements. In addition, required mitigation measures in the Order are expected to minimize the impacts to environmental resources from the implementation work, including species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Required mitigation measures such as consultation with wildlife agency personnel or biological assessments can minimize impacts to candidate, sensitive, or special status species through identification and avoidance. Limits on disturbing existing, naturally occurring, and established native vegetative cover in disturbed areas, as well as the requirement that vegetation shall be established on disturbed areas with an appropriate mix of California native plants and/or seed mix would minimize potential for adverse effects on native plants, including any special-status plant species that may be present in proposed setback areas. It is anticipated that with implementation of applicable mitigation measures, implementation of management measures required by the Order to prevent or minimize sediment discharge on existing roads would not result in a significant impact. However, even given compliance with existing laws and regulations, including obtaining any necessary permits from other agencies, as well as implementation of mitigation measures described below, the impact of new road construction covered under the Order would be ***less than significant with mitigation***.

b) Would the project 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 Wildlife or US Fish and Wildlife Service?

As discussed in a) above, the Order would have a largely beneficial impact on biological resources by long-term reduction in discharges of sediment from roads as well as road-related gullies and landslides. During implementation of management measures involving ground disturbance, there would be potential for adverse effects on biological resources, including riparian habitat, through erosion and sedimentation caused by operation of heavy construction equipment and/or accidental releases or improper management of hazardous materials used during construction (e.g., fuel, oils, lubricants, etc.). If eroded soils or leaked hazardous materials were to wash off site to riparian areas or sensitive natural communities adjacent to road projects, this could adversely impact these biological resources. For road construction or reconstruction activities conducted pursuant to the Order impacts to riparian habitat or other sensitive natural community would likely be greatly reduced by requiring mitigation measures in the Order, such as the following:

- To avoid potential impacts to beneficial uses of water, including sedimentation of the stream channel and/or impacts to aquatic resources, ground-disturbing project activities authorized under the Order could be limited to the period between April 1 and October 15. Exceptions may be requested on a site-specific basis. Work prior to April 1 or beyond October 15 could be authorized provided the work would be completed outside periods leading up to and during significant rainfall, and halting work when saturated soils are present.

- Project landowners could be required to monitor weather forecasts throughout the year and must implement measures, including the deployment of erosion and sediment control Best Management Practices (BMPs), to ensure that project activities and conditions are adequately prepared to avoid impacts to water quality from storm runoff.

- Whenever a 7-day National weather forecast of rain for the nearest precipitation station listed at http://www.weather.gov includes a minimum of 5 consecutive days with any chance of precipitation, or 3 consecutive days with 30% or greater chance of precipitation, or 2 consecutive days of 50% or greater chance of precipitation, the project could be required to finish all work underway at crossings, immediately deploy erosion control materials after completing work, and refrain from starting any new work prior to the rain event. Activities shall not resume at the site so long as saturated soil conditions remain. Regardless of season, erosion control measures shall be stockpiled on site if

encroachment work occurs when the NWS forecast predicts a “chance” or greater (30% of more) of rain within the week following construction activity.

- Placement of temporary access roads, staging areas, and other facilities would avoid or minimize disturbance to habitat as much as possible.

- Where applicable, work in or near stream and riparian zones, including construction, reconstruction or decommissioning of roads, trails, and stream crossing structures, including but not limited to culverts, bridges, rocked fords, and rock armored fill crossings, would be done in accordance with techniques described in the PWA Handbook or other guidance documents listed in the Order.

- Vehicles and equipment shall not be driven, operated, fueled, cleaned, maintained, or stored in the wet or dry portions of a water body where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed or anywhere petroleum may be delivered to the stream.

- Disturbance of riparian vegetation would be avoided or minimized. When removed pursuant to the provisions of the work, riparian vegetation shall be cut off no lower than ground level to promote rapid re-growth.

- Keep temporary disposal sites out of wetlands, adjacent riparian corridors, and ordinary high water areas as well as high risk zones, such as 100-year floodplain and unstable slopes.

- Spoils and excavated material not used during construction would be removed and placed outside of the 100-year floodplain and stored/disposed of in compliance with Order conditions related to spoils management.

- Rock placed for slope protection would be the minimum necessary to avoid erosion and will be part of a design that provides for native plant revegetation and minimizes bank armoring.

- Minimize soil compaction by using equipment with a greater reach or that exerts less pressure per square inch on the ground, resulting in less overall area disturbed or less compaction of disturbed areas.

- When heavy equipment is used, any woody debris and stream bank or streambed vegetation disturbed would be replaced to a pre-project density with native species appropriate to the site.

- The use or storage of petroleum-powered equipment will be

accomplished in a manner that prevents the potential release of petroleum materials into waters of the state (Fish and Game Code 5650). To accomplish this, the following precautionary measures would be followed:

  - Schedule excavation and grading activities for dry weather periods.
  - Designate a contained area for equipment storage, short-term maintenance, and refueling. Ensure it is located at least 50 feet from waterbodies.
  - Inspect vehicles for leaks and repair them immediately.
  - Clean up leaks, drips, and other spills immediately to avoid soil or groundwater contamination.
  - Conduct major vehicle maintenance and washing off site.
  - Ensure that all spent fluids including motor oil, radiator coolant, or other fluids and used vehicle batteries are collected, stored, and recycled as hazardous waste off site.
  - Ensure that all construction debris is taken to appropriate landfills and all sediment is disposed of in upland areas or off-site, beyond the 100- year floodplain.
  - Use dry cleanup methods (i.e., absorbent materials, cat litter, and/or rags) whenever possible. If necessary for dust control, use only a minimal amount of water.
  - Sweep up spilled dry materials immediately.

- Erosion control and sediment detention devices and materials would be incorporated into the project work design and installed as needed at all disturbed areas that have the potential to transport and deliver sediment to streams at the time of project implementation.

- Effective erosion control measures would be in-place at all times during project work. Work within the 5-year floodplain would not begin until all temporary erosion controls (straw bales or silt fences that are effectively keyed-in) are in place down slope of restoration activities.

- Non-invasive, non-persistent grass species (i.e., barley grass) may be used for their temporary erosion control benefits to stabilize disturbed slopes and prevent exposure of disturbed soils to rainfall.

- In siting temporary stream crossings, identify locations where erosion potential is low. Avoid areas where runoff from roadway side slopes will spill into the side slopes of the crossing.

- Vehicles and equipment shall not be driven, operated, fueled, cleaned, maintained, or stored in the wet or dry portions of a water body where wetland vegetation, riparian vegetation, or aquatic organisms may be destroyed or anywhere petroleum may be delivered to the stream.

- Disturbance of riparian vegetation shall be avoided or minimized. When removed pursuant to the provisions of the work, riparian vegetation would be cut off no lower than ground level to promote rapid re-growth.

- Retain as much understory brush and as many trees as feasible, emphasizing shade producing and bank stabilizing vegetation.

Impacts to sensitive natural communities from new road construction permitted under the Order could be avoided by identifying and designing projects to avoid those areas. However, new road construction has the potential to result in significant unavoidable impacts to riparian areas where new roads cross watercourses. The location of roads is constrained by considerations such as property lines or right-of-way, topography, and objectives (what locations are sought to be linked together). Crossing watercourses often cannot be fully avoided when laying out a route for a new road. Impacts to riparian areas cannot be avoided when constructing a new stream crossing. This entails construction of the roadway (the maximum lateral extent of construction) approaching the watercourse through the riparian area and the actual crossing structure within the channel zone. The road approaches in the riparian zone entails excavation of the roadbed itself, and often a cutbank above and fill slope below. The total width from the top of the cutbank to the bottom of the fill slope is typically approximately 25 feet but may vary based on topography. Such excavation and placement of fills results in a completely altered linear strip of the riparian area in which topsoil and vegetation has been removed (on the cutbank and part of the roadway) or covered by fill (on the fill slope). The construction alters the shape of the natural landscape as well, steepening the cut slope and fill slope and flattening the roadbed. As discussed above, the modified topography alters natural hillslope drainage patterns and can intercept shallow groundwater. Such hydrologic impacts would be reduced by implementation of management measures required by the Order that address road drainage and hydrologic connectivity. Any habitat that was present prior to construction will mostly be eliminated or at the very least, degraded.

The impacts to riparian areas described above can be minimized to some extent by designing road locations so as to minimize the number of stream crossings and choosing crossing locations to avoid the most sensitive areas, however, the

impacts cannot be completely avoided or mitigated. Construction of new roads permitted under the Order have potential to cause adverse impacts on riparian habitat and sensitive natural communities, and therefore, there would be a ***potentially significant impact***.

c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

One of the primary objectives of the Order is to protect and restore beneficial uses and achieve water quality objectives specified in the Basin Plan, in part through compliance with the Gualala River Sediment TMDL. As discussed above, the Order would accomplish this through implementation of management measures to prevent or minimize sediment discharge from roads. The Order would require landowners who meet the size or risk to water quality threshold to identify, assess, prioritize, and treat sediment sources on their roads, as well as require that any new roads incorporate all applicable management measures to prevent or minimize sediment discharge.

The Order would require that project activities incorporate measures to avoid, minimize, or mitigate impacts to streams, wetlands and riparian areas. Disturbance to wetlands and streams should be avoided or minimized to the greatest extent practicable. If it is determined that a wetland will be temporarily or permanently impacted by the proposed project, mitigation would need to be conducted to establish, restore, enhance or preserve the functions and values of wetlands and associated beneficial uses. Any unavoidable impacts to waters must be restored and/or compensated for to ensure compliance with California's Wetland Conservation Policy EO W-59-93, Antidegradation Policy SWRCB resolution No. 68-16, and the State Water Resources Control Board's (State Water Board) State Policy for Water Quality Control: State Wetland Definition and Procedures for Discharges of Dredge or Fill Material to Waters of the State.

Projects that will cause temporary impacts to beneficial uses and ecological functions would need to describe how the site will be restored following completion. This restoration could be achieved passively through project design and implementation or could be achieved through development and implementation of a restoration plan. Dischargers would describe the activities to be conducted to restore functions at the site, including success criteria and applicable monitoring. Temporary impact examples may include but not be limited to temporary dewatering, temporary fill, or excavation and vegetation removal.

Permanent impacts to beneficial uses and ecological functions that include a complete loss of area or degradation of these uses or functions would require submittal and approval of a mitigation plan to offset or compensate for these losses. Permanent impact examples may include but are not limited to construction of new roads that include new culverts or bridges.

Dischargers must include an alternatives analysis (unless meeting a qualified exemption) with their application if their project includes new stream crossing construction that creates new permanent impacts to waters of the state as specified in State Water Board's, State Policy for Water Quality Control: State Wetland Definition and Procedures for Discharges of Dredge or Fill Material to Waters of the State. An alternatives analysis is the process of analyzing project alternatives, including the proposed project, to determine the alternative that is the least environmentally damaging practicable alternative. This process can serve to inform whether compensatory mitigation may be necessary to ensure the project is the least environmentally damaging practicable alternative, and if so, what type of compensatory mitigation would be most suitable. The level of detail in an alternatives analysis and any mitigation plans should be commensurate with the size and scope of the impact. Mitigation plans should include performance and success criteria and monitoring and reporting when applicable to demonstrate mitigation successfully offsets the permanent impacts. Mitigation proposals would be reviewed and approved on a case-by-case basis.

As discussed above in a) and b), construction/installation of certain management measures involving ground disturbance from road and stream crossing construction and reconstruction could result in adverse effects on biological resources, including wetlands, due to erosion/sedimentation and improper management of hazardous materials. It is anticipated that compliance with existing laws and regulations and implementation of requirements of the Order would reduce these potential impacts to a level that is less than significant for the majority of projects. However, new road construction conducted pursuant to the Order could have ***potentially significant impacts.***

d) Would the project 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?

Streams, associated adjacent wetlands, and riparian habitat are important fish and wildlife movement corridors, as they provide water and food sources, cover refugia, prey hunting opportunities, and other benefits to aquatic and terrestrial species. Several common and special-status fish species rely on streams within the Gualala River Watershed as migration corridors and for spawning habitat, seasonal movements, or the completion of critical lifecycle stages, many of which run adjacent to, or are crossed by existing roads, or would be crossed by new roads. Stream crossings that do not incorporate design elements intended to provide passage for fish and other aquatic organisms can present a barrier to migration of these species. The Order would require that projects incorporate design elements aimed at minimal impact on habitat while improving "ecological connectivity" for salmonid and other native fish, amphibians, reptiles, macroinvertebrates, insects, and other organisms that make up the aquatic food web. It is anticipated that the Order would result in projects that would enhance

the movement of anadromous fish by the replacement or removal of culverts and bridges that are barriers to fish migration on existing roads.

Assessment of roads and stream crossings required under the Order would include identification of stream crossings that are potential barriers to fish passage and corrective action to ensure that all fish-bearing stream crossings will meet California Department of Fish and Wildlife and National Marine Fisheries Service fish passage criteria.

Implementation of required measures essentially result in a road that is more "hydrologically invisible" and less prone to erosion, but for the purposes of movement of terrestrial wildlife, will remain essentially unchanged from pre-project conditions. For the purpose of migration of terrestrial species, new roads would be no different from the over 1,500 miles of road currently on the landscape in the Gualala River Watershed. Wildlife species are able to cross roads and many benefit from the use of roads to move throughout the watershed.

The impact of implementing management measures to prevent or minimize sediment discharge from existing roads, and construction of new roads that incorporate all applicable measures to prevent or minimize sediment discharge and accommodate passage of all life stages of aquatic species that may be present, would be less than significant. Any project will not substantially interfere 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. The Order would require that projects incorporate design elements aimed at minimal impact on habitat while improving "ecological connectivity" for salmonid and other native fish, amphibians, reptiles, macroinvertebrates, insects, and other organisms that make up the aquatic food web. It is anticipated that the Order would result in projects that would enhance the movement of anadromous fish by the replacement or removal of stream crossings that are barriers to fish migration. Therefore, the appropriate finding is **less than significant.**

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

Sonoma and Mendocino County ordinances and policies exist for the protection of biological resources within the Gualala River Watershed. Most pertinent to the Order are Sonoma County's Tree Ordinances and Local Regulations. A grading permit is required prior to commencing any grading or related work in Sonoma County, including preparatory site clearing and soil disturbance.

Actions by the North Coast Water Board (a State agency) are not required to comply with county, city, or other local ordinances. However, the activities that could occur under the Order are expected to generally align and be consistent with such local ordinances and policies. As such, this impact would be ***less than significant***.

f) Would the project 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 known HCPs or NCCPs are in effect in the Gualala River Watershed. As stated above, the County of Sonoma, in collaboration with other interested local governments and agencies, has initiated the process of planning and developing a county-wide habitat conservation plan (HCP) under Section 10 of the ESA and a Natural Community Conservation Plan (NCCP) under California Fish & Game Code Section 2835 (NCCP Act). It is unknown when that HCP may be adopted or how its provisions may cover roads in the Gualala River Watershed. As the primary objective of the Order is protection of the beneficial uses of water and improvement in water quality in the watershed, it is likely that any future HCP will be consistent with those goals. HCPs in the region would generally support protection of special-status species and habitat, maintaining wildlife movement and habitat connectivity, and protecting and restoring water quality for aquatic ecosystem health. Applicable HCPs also may promote maintenance of surface water flows at acceptable levels for special-status fish species movement and spawning. The potential construction-related impacts discussed in previous impact discussions would all be temporary and would be less than significant given compliance with existing laws and regulations and implementation of required management measures. Therefore, this impact would be ***less than significant***.

E. Cultural Resources:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

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

and
b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Construction/implementation of management measures to prevent or minimize sediment discharge from existing roads and construction of new roads would involve ground disturbance and excavation that could potentially cause damage to, disrupt, or otherwise adversely affect historical resources and unique archaeological resources if they are present. By disturbing subsurface soils (particularly those soils that have previously been undisturbed), these activities could result in the loss of integrity of cultural deposits, loss of information, and the alteration of a site setting. Some amount of ground-disturbance will result from construction/implementation associated with activities covered under the Order at certain locations that have the potential to affect cultural resources. If cultural resources are identified during project activities, potential for inadvertent impacts will be avoided through implementation of mitigation measures included in the Order, such as the following:

- If cultural resources are discovered during project activities, the project proponent shall contract with an archaeologist(s) or other historic preservation professional that meets The Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61, and 48 FR 44716) to complete cultural resource surveys at any sites with the potential to be impacted prior to any ground disturbing activities. This work may be augmented with the aid of a Native American cultural resources specialist that is culturally affiliated with the project area. Cultural and paleontological resource surveys shall be conducted using standard protocols to meet CEQA Guideline requirements.

- The project proponent shall report any previously unknown historic or archeological remains discovered at a project location to the North Coast Water Board.

Implementation of the mitigation measures described above would address these potential impacts by requiring that landowners inventory and evaluate potential archeological or historical resources that may be present within the proposed disturbance area and employ avoidance and/or minimization measures for any significant resources. Provisions would also be made by landowners conducting activities covered under the Order for the accidental discovery of unknown buried cultural resources. Given implementation of this mitigation measure for applicable activities, this impact would be ***less than significant with mitigation.***

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Similar to the potential impacts to historical and archaeological resources discussed above, activities conducted under the Order that involve ground disturbance have the potential to disturb previously undocumented human

remains. In general, it is considered unlikely that human remains would be present in previously disturbed soils within the footprint of existing roads; however, this possibility cannot be entirely ruled out and human remains must be addressed in accordance with state law regardless of their context in disturbed or undisturbed ground. In addition, human remains could potentially be found during construction of new roads in areas that have not been disturbed in recent memory if ever. If human remains were to be uncovered during ground-disturbing activities, this could result in a significant impact. To mitigate the impacts of discovering human remains during ground disturbing activities covered under the Order, the following steps would be required:

If human remains are discovered during construction, the requirements of Health and Safety Code Section 7050.5 must be followed. Potentially damaging excavation must halt on the construction site within a minimum radius of 100 feet of the remains, and the county coroner must be notified. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands[10]. If the coroner determines that the remains are those of a Native American, the NAHC must be contacted by phone within 24 hours of making that determination[11]. Pursuant to the provisions of PRC Section 5097.98, the NAHC must identify a most likely descendent. The most likely descendent designated by NAHC must have at least 48 hours to inspect the site and propose treatment and disposition of the remains and any associated grave goods. The enrollee must work with the most likely descendent to ensure that the remains are removed to a protected location and treated with dignity and respect. Ground disturbing activities must not resume until these requirements are met.

Compliance with existing state laws pertaining to the discovery of human remains (e.g., Health and Safety Code Section 7050.5) as described above, would reduce such impacts to a less-than-significant level. As such, this impact would be ***less than significant with mitigation***.

F. Energy:

Would the project:

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

[10] Health and Safety Code Section 7050.5[b].
[11] California Health and Safety Code Section 7050[c].

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy efficiency?	☐	☐	☐	☒

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Work conducted under the Order would entail construction activities, mostly conducted with heavy equipment such as excavators, bulldozers, backhoes, dump trucks and other mainly diesel powered equipment. Standard pickup trucks and water trucks are typically used to provide project support. While road projects in remote rugged locations such as the Gualala River Watershed are typically conducted during daylight hours when no artificial lighting is required, some use of artificial lighting cannot be ruled out to allow for longer work days. It is anticipated that all energy usage on projects conducted pursuant to the Order would be to power equipment conducting work. There would be no energy from off-site sources, such as the electric grid. Currently energy usage during project activities would exclusively come from gasoline or diesel engines and fuel would have to be transported potentially long distances to remote work sites. The primary cost associated with road projects is the cost of the equipment and fuel. This provides a significant financial incentive to avoid wasteful, inefficient or unnecessary energy consumption. Likewise, new or upgraded roads covered under the Order would be used for access to and from remote locations within the watershed. There is nothing inherent to the Order that would contribute to wasteful, inefficient, or unnecessary energy consumption. As such, the appropriate finding is ***no impact.***

b) Would the project conflict with or obstruct a state or local plan for renewable energy efficiency?

The state of California, as well as Mendocino and Sonoma Counties all have enacted policies or other regulatory actions to encourage or enable the construction and use of renewable energy facilities. The majority of the policy actions relate to generation or low or zero emission electricity generation. Currently, zero emission construction equipment is not widely available or economically feasible for road contractors in remote areas such as the Gualala River Watershed. No aspect of the Order has the potential to conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the appropriate finding in ***no impact.***

G. Geology and Soils:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

a) Would the project 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?

One of the most hazardous faults in the United States transects the lower portion of the Gualala River Watershed for a distance of approximately 30 miles. The South Fork Gualala River and the lower reach of the North Fork Gualala and Little North Fork Gualala River flow through the San Andreas Fault Rift Zone, which is up to three quarters of a mile wide. This fault is known for producing large earthquakes, including those with magnitudes of 8 or greater. Due to the steep topography and sheared bedrock, landslides are common throughout the watershed. Many of the roads within the North Coast Region have existed for generations, some for over a century. Implementation of management measures designed to prevent or minimize sediment discharge from existing roads or construction of new roads will not alter conditions from the baseline with respect to geologic hazards. The exposure to geologic hazards of people working on or using the upgraded roads will remain unchanged during or following implementation of management measures designed to prevent or minimize sediment discharge from existing roads. In fact, many of the required management measures are designed to reduce the risk of road-related landslides, by minimizing concentration of runoff, eliminating over-steepened unstable fill slopes, and siting new roads away from potentially unstable areas. Construction of new roads permitted under the Order will provide access to areas previously inaccessible, and therefore, potentially expose people to areas with elevated geologic hazards. However, rural roads such as those that would be constructed under the Order pose minimal risk from geologic hazards. Furthermore, the Order does not involve structures for human occupancy or critical infrastructure which would be subject to the seismic safety regulations.

Any potentially elevated exposure to geologic hazards from construction of new roads permitted under the Order is expected to be minimal, and therefore, the finding is the impact is ***less than significant.***

b) Would the project result in substantial soil erosion or the loss of topsoil?
and
c) Would the project 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?

The Gualala River Watershed includes areas that are highly susceptible to soil erosion and shallow landslides due to the presence of steep slopes, high rainfall rates, and/or underlying geology. When roads are hydrologically connected, the concentrated flow of water can generate sediment if it crosses unprotected soil, develops gullies, or cuts into stream banks. It can also trigger landslides from oversaturated conditions, especially on fill-slopes. In addition, roads constructed with uncompacted or poorly compacted fill material, particularly on steep slopes, are vulnerable to failure of the fill, often trigger larger landslides. As stated above, the Gualala River TSD concluded that the largest individual sediment source for the entire watershed is road-related landslides which equals approximately 44% of the human-caused total. Management measures required by the Order are designed specifically to reduce erosion and landslide potential.

While implementation of BMPs to ensure proper road drainage and surface stability reduces soil erosion and can reduce or prevent large-scale slope and fill failures, some projects to implement proper road drainage have the potential to generate sediment from short-term construction activities. Disconnecting roads from streams involves limiting the concentration of surface discharge and using permeable soils on the natural ground and road fill-slopes to infiltrate runoff and convert it to subsurface flow before it can reach a stream. Remedial measures to correct existing and potential road erosion include (but are not limited to): replacing undersized culverts, creating critical dips at stream crossings, outsloping the road surface, adding more ditch relief culverts to in-sloped roads, rocking or paving the road surface, reconnecting the road drainage as much as possible to the natural drainage patterns, revegetating cutbanks and fill-slopes, and repairing ‘shotgun’ culverts.

In order to mitigate the potential adverse impacts from projects to implement BMPs, the PWA Handbook contains specific BMPs that are designed to prevent or minimize sediment erosion or loss of topsoil. Mitigation measures for erosion control, timing of project implementation, limitations on construction equipment and earthmoving would also be included in the Order and are enforceable under the Order. Mitigation measures would require that, where a new road is to cross steep slopes, or portions of the route will traverse unstable areas, soil maps and geologic maps should be reviewed and a Professional Geologist should be consulted to evaluate the suitability of the site for the planned road building activities.

As a result of the incorporation of the BMPs and mitigation measures outlined above, the potential for the Order to result in increased soil erosion, loss of topsoil, or landslides is less than significant. Nor is there any reasonably foreseeable potential for the Order to result in lateral spreading, subsidence, liquefaction, or collapse. Therefore, the appropriate finding is **less than significant with mitigation.**

d) Would the project 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? and
e) Would the project 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?

The Order covers neither activities such as building construction that is subject to the Uniform Building Code, nor activities involving the use of septic tanks or alternative wastewater disposal systems. Because the project does not involve these elements the appropriate finding is **no impact.**

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Many of the reasonably foreseeable management measures that landowners may implement to comply with the Order would involve construction activities/ground disturbance. Construction/installation of reasonably foreseeable management practices that involve ground disturbance could potentially destroy a unique paleontological resource or site or unique geologic feature. Most management measures implemented to comply with the Order would occur within existing roads. In general, these areas are subject to repeated disturbance and thus the likely disturbance of unique paleontological resources or site or unique geologic feature has already occurred.

However, while most activities would occur within existing roads, it is possible that certain management measures could be constructed/installed in areas adjacent to existing roads that have not been subject to prior disturbance. Construction of new roads generally will take place in areas that have not previously been disturbed, or not recently disturbed.

In order to reduce the potential impact to any paleontological resource or site or unique geologic feature to less than significant, the Order would require that if any items of paleontological interest are discovered during construction of management practices or other activities (e.g., new road construction), work be immediately suspended within 50 feet of the discovery site, or to the extent needed to protect the site. Discovered paleontological resources must be evaluated by a qualified paleontologist who meets the Society for Vertebrate Paleontology's professional requirements. If it is determined that the activities could damage a unique paleontological resource, mitigation must be

implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the State CEQA Guidelines. If avoidance is not feasible, the paleontologist must develop a treatment plan in consultation with the North Coast Water Board. Work must not be resumed until authorization is received from the North Coast Water Board and any recommendations received from the qualified paleontologist are implemented.

A geologic feature is unique if it meets one of the following criteria:

a. is the best example of its kind locally or regionally;
b. embodies the distinctive characteristics of a geologic principle that is exclusive locally or regionally;
c. provides a key piece of geologic information important in geology or geologic history;
d. is a “type locality” of a formation;
e. is a geologic formation that is exclusive locally or regionally;
f. contains a mineral that is not known to occur elsewhere in the area; or
g. is used repeatedly as a teaching tool.

If implementation of management measures during a road project permitted under the Order has the potential to impair a unique geologic feature by destroying or altering those physical characteristics that convey the uniqueness of the resource, a geologic reconnaissance would be required to be completed by a Professional Geologist to evaluate impacts to unique geologic features.

Implementation of mitigation measures described above would avoid or reduce potential impacts to a unique paleontological resource or site or unique geologic feature by requiring that landowners retain a qualified paleontologist in the event that a paleontological resource or unique geologic feature are identified during implementation of management measures or other actions would involve soil disturbance. Therefore, this impact would be ***less than significant with mitigation***.

H. Greenhouse Gas Emissions:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Implementation of most management measures designed to prevent or minimize sediment discharge from existing roads would generate greenhouse gas (GHG) emissions due to operation of gasoline- or diesel-fueled equipment (e.g., excavators, bulldozers, etc.). Road storm-proofing would involve some amount of excavation/ground-disturbance, and thus construction of these features would require use of GHG-emitting equipment. Additionally, any worker vehicle trips to and from individual construction sites would add some amount of GHGs. While the specific characteristics of management measures necessary to prevent or minimize sediment discharge on individual ownerships are unknown, such individual projects would have no potential, on their own, to exceed applicable GHG emission significance criteria. In comparison to the types of construction projects that regularly occur throughout the North Coast Region (e.g., housing projects, commercial and industrial development), the management measures that could be implemented at individual ownerships as a result of the Order rank relatively low in terms of GHG emission potential.

From a cumulative standpoint, if all landowners within the Gualala River Watershed were to stormproof roads *at the same time*, there could be some potential for annual GHG emissions significance thresholds to be exceeded (although, still, this is somewhat speculative). However, this is not likely to occur, particularly given the fact that the Order would not require all landowners to develop inventories of controllable sediment discharge sources and implement corrective action for those sites and landowners that are required to do so will be able to schedule implementation of the work over an extended period of time.

It also should be noted that some amount of GHG emissions is occurring under existing conditions. Many landowners are implementing, or have implemented, various management measures to prevent or minimize sediment discharge from existing roads. Existing roads are used on a consistent basis for transportation, their intended use, with the resulting GHG emissions. Construction of new roads will result in increased GHG emissions from vehicle and heavy equipment use. In addition, new roads can result in an incremental increase in vehicle traffic. As such, while the Order is anticipated to result in increased construction (and associated GHG emissions) relative to existing conditions, the GHG emissions that occur from the Order should be considered in light of the existing, ongoing GHG emissions that are occurring under existing conditions.

During ongoing operations conducted to comply with the Order, certain activities such as vehicle and equipment used for annual inspections and maintenance could generate some amount of GHG emissions.

Due to the nature of the Order and the discretion afforded to landowners in how to comply with the proposed requirements, the net increase in GHG emissions due to the Order cannot be quantified. Based on the reasonably foreseeable activities, the emissions are not expected to be substantial. The Order would not create any new substantial stationary sources of GHG emissions and many of the routine maintenance and repair and monitoring activities would be relatively infrequent. GHG emissions from construction activities likely would be relatively minor overall (particularly compared to other common types of construction projects) and would most likely be spread out over time due to the compliance timeline built into the Order. Therefore, this impact would be ***less than significant***.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The Order does not conflict with strategies discussed in the First Update to the AB 32 Scoping Plan or the 2022 Scoping Plan for Achieving Carbon Neutrality (CARB 2022). All structural or non-structural implementation measures would need to be implemented in a manner consistent with plans, policies or regulations to reduce greenhouse gas emissions including those mentioned here. Any water quality control effort must be consistent with the State Water Board Resolution No. 2008-0030 which directs Water Board staffs to "require…climate change considerations, in all future policies, guidelines, and regulatory actions." Also, the proposed project is intended to be implemented in a manner which conforms with the goals of the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan), the latest update to the Scoping Plan as required by Assembly Bill (AB) 32 (States, 2005, ch 488). The 2022 Scoping Plan lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279. AB 32 requires that greenhouse gas emissions be reduced to 1990 levels by 2020. This requirement relates to anthropogenic sources of greenhouse gases. In addition, the proposed project is also intended to be implemented in a manner which conforms to Sonoma County's goal to reduce greenhouse gas emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050 in the county.

For similar reasons, the Order is generally in line with county general plan policies regarding land use, transportation, air quality planning goals, and local criteria air pollutants. Therefore, this impact would be ***less than significant***.

I. Hazards and Hazardous Materials:

Would the project:

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

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

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

New road construction and implementation of management measures required to comply with the Order may involve transport, use, and disposal of hazardous materials (e.g., fuel, oil, lubricants, etc.). Many pieces of construction equipment use hazardous materials in their operation and these hazardous materials may be stored on site during construction activities. During the construction period, these hazardous materials also may need to be replenished or disposed of and transported to the site or an appropriate disposal facility. Without adequate precautions, such routine transport, use, and disposal of hazardous materials could expose construction workers, the public, or the environment to hazards.

Under existing federal and state law, dischargers (or contractors implementing management measures or construction activities) would be required to ensure that construction workers are not exposed to hazardous materials in excess of established limits. Where appropriate, dischargers or their contractors would need to provide workers with personal protective equipment (PPE) to prevent potential exposure to hazards associated with any routine transport, use, or disposal of hazardous materials.

Over the long-term, the Order would not create any new land uses that would involve substantial routine transport, use, and disposal of hazardous materials. While adoption of the Order and implementation of required management measures is unlikely to require use of significantly greater quantities or additional hazardous materials, use of them in rural settings, often in close proximity to waters of the state, and introduction to them by spills or other means could result in serious impacts to environmental resources. The Order would include mitigation measures such as the following to ensure that the potential for release of hazardous materials (e.g., fuel, grease, oil, hydraulic fluid, solvents, etc.) is minimized during routine equipment operation and maintenance:

- Dischargers or their contractors must maintain/implement the following:
    - A list of hazardous materials present on site during construction, to be updated as needed along with product safety data sheets and other information regarding storage, application, transportation, and disposal requirements;
    - A hazardous materials communication plan, which lists contacts for emergency services, hazardous materials spill response agencies, and wildlife agencies, as well as

protocols for communication in the event of a spill;
    - Standards for secondary containment of hazardous materials stored on site; and
    - Spill response procedures based on product and quantity. The procedures must include spill response/clean-up materials to be used, location of such materials within the construction site, and disposal protocols.
- The use or storage of petroleum-powered equipment will be accomplished in a manner that prevents the potential release of petroleum materials into waters of the state (Fish and Game Code 5650). To accomplish this, the following precautionary measures shall be followed:
    - Schedule excavation and grading activities for dry weather periods;
    - Designate a contained area for equipment storage, short-term maintenance, and refueling. Ensure it is located at least 50 feet from waterbodies;
    - Inspect vehicles for leaks and repair them immediately;
    - Clean up leaks, drips, and other spills immediately to avoid soil or groundwater contamination;
    - Conduct major vehicle maintenance and washing off site.
    - Ensure that all spent fluids including motor oil, radiator coolant, or other fluids and used vehicle batteries are collected, stored, and recycled as hazardous waste off site;
    - Ensure that all construction debris is taken to appropriate landfills and all sediment is disposed of in upland areas or off-site, beyond the 100- year floodplain;
    - Use dry cleanup methods (i.e., absorbent materials, cat litter, and/or rags) whenever possible. If necessary for dust control, use only a minimal amount of water; and
    - Sweep up spilled dry materials immediately.

Overall, routine transport, use, and disposal of hazardous materials under the Order would be primarily related to common materials (e.g., fuel, oil, lubricant, etc.) used in road construction and implementation of certain management measures. Therefore, with proper implementation of the hazardous materials handling procedures required by the Order, this impact would be ***less than significant with mitigation***.

b) Would the project 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?

As noted in a) above, new road construction and implementation of management measures required to comply with the Order may involve transport, use, and disposal of hazardous materials (e.g., fuel, oil, lubricants, etc.). Many pieces of construction equipment use hazardous materials in their operation and these hazardous materials may be stored on site during construction activities. During the construction period, these hazardous materials also may need to be replenished or disposed of and transported to the site or an appropriate disposal facility. Without adequate precautions, as would be required in the Order, such routine transport, use, and disposal of hazardous materials could expose construction/agricultural workers, the public, or the environment to hazards, this impact would be ***less than significant with mitigation***.

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

Three elementary schools are present in the Gualala River Watershed. As discussed under a) and b) above, road construction/implementation of certain management measures under the Order would involve use, storage, transport, and disposal of hazardous materials (e.g., fuel, oil, lubricant, etc.) that are commonly used in construction. Operation of construction equipment also would likely emit diesel particulates and other potentially hazardous emissions. It is reasonably foreseeable that road projects permitted under the Order could take place within 0.25 miles of an existing or proposed school or that vehicles transporting hazardous materials to and from a project site may pass within 0.25 miles of a school.

Due to the nature of the Order, it is impossible to determine which road projects will take place in which locations within the Gualala River Watershed. Therefore, it is not possible to evaluate impacts on specific schools or model emissions from specific Order activities. In general, however, the hazardous materials that would be used during management measure installation/construction would not be considered acutely hazardous and, even if they were to spill or be accidentally released, would not be expected to pose a substantial hazard to anyone outside of the immediate construction area. The construction activities/hazardous materials used under the Order that may occur in proximity to schools also would not be substantially dissimilar from ongoing, existing activities that would typically occur on rural lands in the watershed, such as use of diesel equipment for various land management activities.

Over the long-term, the Order would not introduce any new land uses or practices that would involve substantial hazardous materials use or storage, and which could be located within 0.25-mile of a school. This impact would be ***less than significant***.

d) Would the project 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?

The State Water Board's GeoTracker database and the California Department of Toxic Substances Control's EnviroStor database indicate that three hazardous

materials contamination/cleanup sites exist in the Gualala River Watershed. All of these sites are on properties located on paved county roads. However, it is possible that hazardous materials contamination could be located on a site where road-related activity occurs under the Order. In such situations, Order activities (e.g., construction/installation of Management Practices involving excavation) could potentially encounter contaminated soils or materials, which could expose construction workers, the public, or the environment to significant hazards.

Landowners proposing construction/implementation of management measures involving excavation or ground disturbance would be required to evaluate the proximity of proposed management measures to existing known hazardous material cleanup sites. Prior to final design, landowners, or their contractors, must review the footprint of the planned road project in relation to records of hazardous materials sites in the State Water Board's GeoTracker database and the California Department of Toxic Substances Control's EnviroStor database.

If the proposed road project is located on or within 100 feet of a documented hazardous material contamination site, for which cleanup activities have not been completed or been successful, the permittee or its contractor must commission a Phase I environmental site assessment (ESA) to more fully characterize the past land uses and potential for soil and/or groundwater contamination to occur at or in close proximity to the site.

If the Phase I ESA demonstrates a reasonable likelihood that contamination remains within the permitted road project's area of disturbance, the enrollee or its contractor must commission a Phase II ESA, including soils testing, to characterize the extent of the contamination and develop ways to avoid the contaminated areas during project design and construction. The enrollee and/or its contractor must follow all recommendations of the Phase II ESA and, to the extent feasible, design the project to avoid areas of contamination. In the event that it is not feasible to avoid all areas of contamination, the enrollee and/or its contractor must follow all applicable laws regarding management of hazardous materials and wastes. This includes proper disposal of any contaminated soil in a hazardous waste landfill and ensuring that workers are provided with adequate PPE to prevent unsafe exposure.

Implementation of mitigation measures described above would minimize potential for adverse impacts on existing hazardous materials sites from implementing road projects under the Order. Given implementation of this mitigation measure, this impact would be ***less than significant with mitigation***.

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?

One public airport is located in the Gualala River Watershed. The Order would not include any new housing or occupied structures that could be subjected to a safety hazard or excessive noise due to being located near an airport. A number of reasonably foreseeable road projects may be implemented by landowners on

roads in the vicinity of the airport to comply with the Order requirements, possibly within the airport's land use plan area or within two miles of the airport. However, road projects conducted under the Order would not include tall structures or land use changes (e.g., land uses that could generate significant dust or smoke) which could interfere with aircraft and thereby increase the risk to people living near the airport. As such, ***no impact*** would occur.

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?

Road projects permitted and implemented under the Order would potentially disturb or require short term closure of an existing road(s). In general, such projects will take place in rural areas where traffic congestion (such as to potentially inhibit timely evacuation) is not a significant issue. Therefore, construction/implementation of management measures designed to prevent or minimize sediment discharge from existing roads, even if it were to temporarily impact a roadway (e.g., from delivery of materials or operation of construction equipment on a public roadway), would not be anticipated to result in substantial congestion such as to significantly affect emergency response or evacuation. The Order would not include any new housing or structures, land use changes, or other components that could potentially affect emergency response or emergency evacuation. Therefore, this impact would be ***less than significant.***

g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
and
h) Would the project 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?

The Order would not include any new housing or structures and would be limited to General WDRs for road projects, which could result in implementation of management measures designed to prevent or minimize sediment discharge from existing roads or construction of new roads. As such, the Order would not place any new people or structures in locations where they could be exposed to loss, injury, or death involving wildland fires. In fact, improvement of roads in the watershed has the potential to improve access for fire fighting in the event of a wildfire. As stated above, much of the Gualala River Watershed is designated as High or Very High Fire Hazard Severity Zones by CAL FIRE.

In general, rural roads that would be permitted under the Order are not particularly susceptible to wildland fire hazard, and in fact, are used to fight fires by acting as fire breaks or providing access and staging areas for firefighters. While the risk cannot totally be discounted, the Order would not include, or indirectly result in, new people or structures being located in fire hazard areas. Therefore, this impact would be ***less than significant****.*

J. Hydrology and Water Quality:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☒	☐	☐
i) result in a substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☒	☐	☐
iii) 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; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
f) 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?	☐	☐	☐	☒
g) Cause inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater?

The primary objective of the Order is to protect and restore beneficial uses and achieve water quality objectives specified in the Basin Plan for areas in the Gualala River Watershed by 1) minimizing or preventing sediment discharges to surface water, and 2) minimizing or preventing temperature impacts to surface water from loss of riparian shade.

The primary purpose for adoption of the Order, which are Waste Discharge Requirements, and implementation of required BMPs, is to ensure that most roads in the Gualala River Watershed meet water quality standards. This is accomplished by establishing requirements that landowners assess roads on their ownership, identify sediment sources on those roads, develop and implement corrective action to prevent or minimize sediment discharge and conduct regular inspections to ensure management measures are maintained and functioning properly. In addition, the Order will also permit construction of new roads, and in doing so will ensure that those roads are designed and constructed in such a manner as to incorporate all applicable management measures to prevent or minimize sediment discharge. Implementation of many management measures to prevent or minimize sediment discharge from roads (e.g., road out sloping, installation of rolling or critical dips, increased frequency of ditch relief culverts, erosion control measures for maintenance activities that may disturb soil, installation of sediment traps at culverts, proper storage of spoils and materials stockpiles) will reduce the amount of sediment delivery to streams from roads and stream crossings in the watershed. However, even as implementation of management measures will be done to correct existing and potential road erosion, they can potentially discharge sediment, chemicals or other unnatural materials to streams without proper management measures. As discussed in previous sections of this Initial Study, enforceable management measures intended to prevent or minimize impacts resulting from implementation of required management measures will be included in the Order.

Additionally, implementation of mitigation measures for handling hazardous materials discussed above in Hazards and Hazardous Material would require that landowners follow proper hazardous materials storage and management during construction activities.

Given the primary purpose of the Order as a water quality permit and compliance with existing laws and regulations, and with implementation of applicable mitigation measures, these impacts would be ***less than significant with mitigation***.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Most of the reasonably foreseeable management measures that could be implemented under the Order would not include impervious surfaces that would impede groundwater recharge. One of the primary objectives of many reasonably foreseeable management measures is to make roads “hydrologically invisible” to the extent feasible. Essentially, this entails minimizing the extent that roads alter natural surface and shallow groundwater patterns and minimizing concentration of runoff and discharge water off of roads at locations where it can disperse and infiltrate back into the native soils. Natural earthen materials are compacted within the roadbed, the traveled surface of a road, creating a nearly impervious surface. Current estimates of road densities in the watershed range from approximately 3 to 8 miles per square mile. New road construction would increase the area of impermeable surface. Because the Order would provide a permitting tool for landowners to construct new roads that incorporate all necessary management measures designed to prevent or minimize sediment discharge, it is impossible to predict how much new road will be constructed. At the highest road density in the watershed, 8 miles per square mile, road surface is less than 4% of the total area. If new road construction resulted in a 10% increase in road density, which is a high estimate, the increase in impervious surface would be less than a 1% increase in area per square mile.

Overall, the Order would not substantially decrease groundwater supplies or interfere with groundwater recharge such as to impede sustainable management of groundwater basins within the Gualala River Watershed. As a result, this impact would be ***less than significant***.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in a substantial erosion or siltation on- or off-site;

The primary objectives of the Order and implementation of management measures for roads is to reduce erosion and sediment discharge. Such management measures have been put in practice throughout the North Coast

Region and beyond for decades and, when implemented properly, have been shown to be highly effective at substantially reducing long-term rates of erosion and sediment discharge. However, even as implementation of management measures will be done to correct existing and potential road erosion, the ground disturbance that takes place during implementation can potentially cause erosion and sediment discharge. As discussed in previous sections of this Initial Study, such incidental erosion resulting from ground disturbance from project activities can be greatly minimized by implementation of enforceable management measures that will be included in the Order. As such, the appropriate finding is ***less than significant impact***.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

Roads inherently increase runoff by intercepting shallow groundwater and causing it to flow as surface runoff. Roads also intercept dispersed sheet flow slowly moving through ground covered by vegetation and duff/litter and concentrate it on compact surfaces. Concentrated runoff typically flow off roads more concentrated and at higher velocity, thereby having much greater erosive power. One of the primary objectives of management measures for roads required by the Order is to minimize concentration of runoff and discharge water off of roads at locations where it can disperse and infiltrate back into the native soils. One of the primary purposes of BMPs required by the Order is to ensure drainage patterns do not result in substantial erosion or siltation. BMPs often require alteration of existing drainage patterns or the course of a stream or river, but such alterations are specifically designed to improve or restore impaired conditions to reduce the potential for excess erosion or siltation. A primary objective of BMPs from the PWA Handbook is manage runoff, so that concentration of runoff is minimized and dispersed, and is discharged off of roads in such a manner as to avoid flooding, increased erosion, sediment discharge or other pollutants, or exceed the capacity of existing or planned storm-water drainage systems, and likely result in improvements to water quality. Therefore the appropriate finding is ***less than significant impact with mitigation*****.**

iii) 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;

The majority of road projects conducted pursuant to the Order would not drain to existing or planned stormwater drainage systems or generate substantial additional sources of runoff. Rural roads subject to the Order will generally be located on remote areas in the watershed far from any urban infrastructure such as stormwater drainage systems. Many of the management measures applied to existing roads would disperse runoff and direct it off roads and onto stable, vegetated hillslopes where it could infiltrate back into the ground. As discussed above, new road construction will increase the area of low permeability, thereby

increasing runoff from the road. However, new roads must incorporate management measures to disperse runoff and direct it off of roads and onto stable, vegetated hillslopes where it could infiltrate back into the ground. Management measures designed to reduce concentration of runoff serve to reduce the erosive potential of the runoff, thereby reducing its ability to entrain sediment pollution. As such, this impact would be ***less than significant***.

iv) impede or redirect flood flows?

As stated above, management measures required by the Order are designed to result in roads that are as “hydrologically invisible” as feasible. Such measures include outsloping, rolling dips, frequent ditch relief, hydrologic disconnection from watercourse, etc. Such features function to minimize roads impact on flows. Therefore, the finding is the impact is ***less than significant impact***.

d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Roads may be located in areas prone to flooding or inundation as a result of tsunami or seiche. During construction of roads and implementation of required management measures, hazardous materials/pollutants (e.g., fuel, oil, lubricant, etc.) may be contained in construction equipment and/or stored on construction sites. If a flood event were to occur during the construction period for road projects located in the 100-year floodplain, this could result in such pollutants being released, resulting in adverse effects on water quality. In general, due to the low probability of a 100-year flood event in any given year, the relatively short duration of construction activities for most projects, and because the Order limits construction/implementation to occurs during the dry season, the probability of such an uncontrolled release of hazardous materials/pollutants associated with Order activities is exceedingly low, therefore the impact is ***less than significant impact***.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

A primary purpose of the Order is to protect and restore beneficial uses and achieve water quality objectives specified in the Basin Plan for roads in the Gualala River Watershed. As such, the Order would support implementation of the Basin Plan. Certain incidental consequences of construction and implementation of management measures to prevent or minimize sediment discharge are possible; however, these effects are largely speculative and, even if they could be quantified, would very likely be outweighed by the long-term benefits to water quality from the Order. The Order would have limited potential to adversely affect groundwater supplies or limit recharge. Reasonably foreseeable management measures under the Order would not use substantial

groundwater supplies or include large new impervious surfaces. Overall, the finding is ***less than significant impact.***

f) Would the project 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?
and
g) Would the project cause inundation by seiche, tsunami, or mudflow?

Adoption of the Order and implementation of BMPs would not involve housing. The BMPs include sizing new or replacing culverts to accommodate 100-year flood flows, therefore, stream crossing structures would potentially be subject to 100-year flow flows but would be designed such that they would be expected to route flows through the crossing, not impede or restrict flows. BMPs for stream crossing sizing combined with those designed to disperse runoff will reduce peak flow concentrations, potentially reducing flooding and associated damage. BMPs are not anticipated to expose people or structures to a significant risk of loss, injury or death involving flooding, inundation by seiche, tsunami, or mudflow. The project does not involve dams or levees or is it anticipated to interact or affect them. Therefore, the appropriate finding is ***no impact.***

K. Land Use and Planning:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

a) Would the project physically divide an established community?
and
b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Order is not a land use approval regulation. Any new roads permitted under the Order will also be subject to approval by the county it will be located in. The Order requires that where roads exist or are proposed, the landowners

implement BMPs to control erosion, runoff, and sedimentation. These BMPs will not include the construction of large permanent structures or other features that could divide a community, nor would they physically divide an established community. None of the compliance measures identified contemplate the use of non-structural or structural BMPs that would physically divide an established community.

The primary goal of the Order is the protection and restoration of water quality and beneficial uses of water in the Gualala River Watershed. North Coast Water Board staff intend to work with local governments to develop strategies to address the prevention, reduction, and mitigation of elevated water temperatures, including, but not limited to, riparian ordinances, general plans, and other management policies. Therefore, it is unlikely that compliance with the Order would 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. Therefore, the finding is ***less than significant impact.***

L. Mineral Resources:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Sand, gravel and other aggregate is a substantial commodity in the North Coast Region, whose extraction has the potential to impact the Gualala River Watershed.

The California Surface Mining and Reclamation Act of 1975 (SMARA) required identification of mineral resources in California. The California Department of Conservation is the state agency responsible for implementing and enforcing SMARA regulations and preparing SMARA maps of significant mineral resources in each county. SMARA maps exist for Sonoma County within the project area

and identify and classify mineral resources as to their relative value for extraction.

Sonoma County has adopted the Aggregate Resources Management (ARM) Plan, a plan for obtaining future supplies of aggregate material (Sonoma County, 2010). The ARM plan serves as the state-mandated mineral management policy for the county and is intended to accomplish the mandated purposes.

a) Would the project 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?
and
b) Would the project 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?

Compliance with the Order may include earthmoving during construction of new roads and grading for road rehabilitation, culvert repair and replacement and construction of small structures. These projects would be relatively small in scale and would not result in the loss of availability of a known mineral resource or physically preclude future mining activities from occurring. None of the compliance measures identified contemplate the use of non-structural or structural BMPs that would 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 or 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. Therefore, the appropriate finding is **no impact**.

M. Noise:

Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of

standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
and
b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The Gualala River Watershed is substantially rural, with a limited number of small communities. As a general matter, noise pollution is limited to localized areas. Any project implemented under this proposed program should be designed to avoid, minimize, or mitigate any potential noise impacts.

Properties covered under the Order would typically consist of larger land parcels that are mostly located away from schools and other sensitive land uses. Residential uses in the watershed are very low density, consisting typically of scattered residences on each of the larger parcels.

The Order will result in an increase in implementation of projects that could involve temporary, construction-related noise emissions above ambient noise levels. Increased noise levels would be limited to the immediate area of projects implementing BMPs and construction and would not expose sensitive receptors to harmful levels of noise, likely to be located substantial distances from covered properties.

Mendocino and Sonoma County General Plans have noise ordinances or noise elements that address acceptable community noise levels (Mendocino County 2009[12], Sonoma County 2020[13]). The Mendocino County Health and Safety Code has established limits for exterior noise; these limits vary depending on land use and range from 40 decibels for rural residential areas to 75 decibels for industrial areas. The Sonoma County Exterior Noise Limit Standards describes thresholds for exterior noise during the daytime and nighttime. These standards allow for a maximum exterior noise level of 70 decibels, with the average over a one-hour time period not exceeding 50 decibels during the daytime. The nighttime allowable noise ranges from 45 to 65 decibels. Road construction and implementation of BMPs covered under the Order would result in increased noise within a limited distance from project activities and for a limited duration. The Order would not change the exposure of people to potential adverse effects involving noise due to rural road projects covered over current baseline conditions. Because of the limited foreseeable increased exposure to noise and existing county noise requirements, the appropriate finding is ***less than significant impact.***

[12] The 2009 Mendocino County General Plan can be viewed at the following webpage: https://www.mendocinocounty.gov/departments/planning-building-services/long-range-plans
[13] The 2020 Sonoma County General Plan can be viewed at the following webpage: https://permitsonoma.org/regulationsandlongrangeplans/longrangeplans/generalplan

N. Population and Housing:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned 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?	☐	☐	☒	☐

a) Would the project induce substantial unplanned 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)?

And

b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The majority of the Gualala River Watershed is designated by the respective counties as rural residential, agricultural or forest land. The Order will not involve construction of new homes or businesses. Properties covered under the Order would typically consist of larger land parcels that are mainly engaged in agricultural land uses, such as timber and vineyard operations and grazing. The majority of work anticipated to be conducted pursuant to the Order is implementation of BMPs to prevent or minimize sediment discharge from existing roads, which would have no impact on population or housing. While the Order would permit new road construction, generally such new roads would be to improve access to existing agricultural operations or residences. While it is conceivable that a new road permitted by the Order would be used to provide access to a new residence or business, construction of those would still require approval by the respective county it would be located in. Overall, the potential for the Order to result in a substantial increase in population growth, housing or other structures, or displace existing housing is considered to be extremely low. As such, the appropriate finding is ***less than significant impact***.

O. Public Services:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☐	☒

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?

Adoption of the Order and implementation of required BMPs does not involve new or physically altered government facilities. Because the proposed project does not involve these elements, the appropriate finding is **no impact**.

P. Recreation:

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

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

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?
and
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?

Actions to comply with the Order would mainly affect large rural ownerships and private roads and would have little if any effect on existing neighborhood and regional parks or other recreational facilities. Therefore, the appropriate finding is ***no impact***.

Q. Transportation/Traffic:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b) Conflict or be inconsistent with CEQA Guidelines §5064.3,subdivision (b)?	☐	☐	☒	☐

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

a) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Actions to comply with the Order would mainly affect large rural ownerships and private roads in remote interior portions of the Gualala River Watershed, and not on widely used public roads. There is very low potential to impact transportation circulation systems, including transit, roadway, bicycle and pedestrian facilities, because any work associated with the Order would not alter road locations or traffic patterns (although short term traffic disruptions would likely occur during project implementation). Both Mendocino and Sonoma County General Plans address transportation, they mainly focus on public roads, not the remote private roads that the Order is intended to address. Because no change is foreseeable, the appropriate finding is ***no impact***.

b) Would the project conflict or be inconsistent with CEQA Guidelines §5064.3,subdivision (b)?

CEQA Guidelines §5064.3,subdivision (b) provides guidance on achieving California's goal of reducing GHG emissions 40 percent below 1990 levels by 2030, in part by reducing per capita vehicle miles traveled (VMT). Implementation of BMPs to prevent or minimize sediment discharge from existing roads will have no effect on VMT for routine vehicular use of those roads. It must be assumed that new road construction permitted under the Order has the potential to result in some incremental increase in VMT. However, because it is impossible to predict how much new road will be constructed over an unknown period of time, the increase in VMT is difficult to quantify. However, due to the low population density and remote location of the project area, any increase in VMT is likely to be a small fraction of what would result from new roads in densely populated urban areas. Because the Order will likely result in a very small increase in VMT, the appropriate finding is ***less than significant.***

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Adoption of the Order and implementation of required BMPs to prevent or minimize sediment discharge does not involve installation of hazardous design

features or incompatible uses. New roads that would be constructed under the Order must incorporate applicable characteristics of “storm-proofed” roads, such as rolling dips, outsloping and other measures to ensure adequate drainage. However, all the road design features that constitute a storm-proofed road function to ensure proper drainage and minimize concentration of runoff. None of these features inherently create hazards. It should also be assumed that the use of private roads covered under the Order will be designed to be compatible for the intended use. For example, many of the roads will be used to service the many land uses active in the Gualala River Watershed, they will be designed to be used by farm equipment, logging equipment, livestock transport, etc. Because the proposed project does not involve these elements, the appropriate finding is ***no impact***.

d) Would the project result in inadequate emergency access?

Roads in the remote and rugged landscape that the Order will mainly affect are typically the only means of emergency access for much of the Gualala River Watershed. Implementation of BMPs on existing roads as required by the Order will likely result in significant reduction in road failures (washouts) that routinely occur during high precipitation events due to poor drainage and design. Such washouts during storm events when the need for emergency services may be high, can impede access for emergency services. Reducing the potential for storm related road failures serves to improve emergency access to remote parts of the watershed. Likewise, any new roads constructed under the Order could be used to provide access for emergency services. While the Order may have a beneficial impact on access for emergency services, the appropriate finding is ***no impact.***

R. Tribal Cultural Resources:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☒	☐	☐
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in	☐	☒	☐	☐

Public Resources Code section 5020.1(k), or				
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Construction/implementation of management measures to prevent or minimize sediment discharge from existing roads and construction of new roads would involve ground disturbance and excavation that could potentially cause damage to, disrupt, or otherwise adversely affect historical resources and unique archaeological resources if they are present. By disturbing subsurface soils (particularly those soils that have previously been undisturbed), these activities could result in the loss of integrity of cultural deposits, loss of information, and the alteration of a site setting. Some amount of ground-disturbance will result from construction/implementation associated with activities covered under the Order at certain locations that have the potential to affect cultural resources. If cultural resources are identified during project activities, potential for inadvertent impacts will be avoided through implementation of mitigation measures included in the Order, such as the following:

Procedures for Discovery During Significant Ground Disturbing Project Activities:

If any suspected archaeological materials or indicators[14] are uncovered or discovered during significant ground disturbing project activities that are regulated under this Order, then those significant ground disturbing activities shall immediately cease within 50 feet of the find (100-foot diameter circle). Examples of significant ground disturbing activities may include: new deep ripping, trenching, excavation, road construction, reconstruction, or decommissioning. As soon as practicable following discovery, the landowner shall consult a Professional Archaeologist to document and assess if the find is a historical resource pursuant to PRC section 5024.1(c) or a unique archaeological resource pursuant to PRC section 21083.2(g).

If the Professional Archaeologist determines that the find **is not** a Native American archaeological site, then the landowner may continue operations at that site in compliance with all applicable laws and regulations related to archaeological discoveries as advised in writing by the Professional Archaeologist and approved by the North Coast Water Board.

If the Professional Archaeologist determines that the find **is** a Native American archaeological site, then the landowner or their designated Professional Archaeologist shall notify the Native American Heritage Commission within seven days of the discovery and request a list of any California Native American tribes that are potentially culturally affiliated with the discovery. The landowner or their designated Professional Archaeologist shall notify any potentially culturally affiliated California Native American tribes of the discovery within 48 hours of receiving the list from the Native American Heritage Commission. The Professional Archaeologist shall develop proposed mitigation measures, which may include those listed in Mitigation Measures to protect TCR Sites as necessary. The proposed mitigation measures shall be submitted to the culturally affiliated California Native American tribes. If the affiliated tribe has no comments on proposed mitigations measures within **14 days** of a request for comments, the landowner shall implement the final mitigation measures recommended by their archaeologist. A copy of the proposed mitigation measures shall be submitted to the North Coast Water Board and the affiliated tribe prior to implementation.

If the affiliated tribe submits comments within **14 days** of a request for comments, then the landowner will carefully consider any comments and mitigation measure recommendations submitted by the tribe with the goal of conserving TCRs with appropriate dignity. The landowner shall provide a copy of the final proposed mitigation measures to the culturally affiliated California Native

[14] Archaeological materials or indicators may include but are not limited to: arrowheads and chipped stone tools; bedrock outcrops and boulders with mortar cups; ground stone implements (grinding slabs, mortars, and pestles) and locally darkened midden soils containing some of the previously listed items plus fragments of bone, fire affected stones, shellfish, or other dietary refuse.

American tribes identified by the Native American Heritage Commission and to the North Coast Water Board Executive Officer. In the event that the tribe and the landowner cannot reach an agreement, the North Coast Water Board Executive Officer shall require mitigation measures such as from the list below. Upon tribe/landowner agreement or Executive Officer approval, project activities can resume within the affected zone.

Previously documented areas with archaeological material or indicators that have an archaeologist report with mitigation measures that continue to prevent significant impacts, are exempt from this section provided the landowner avoids any significant adverse impacts to TCRs. If mitigation measures to protect the archaeological site are unclear or undocumented, then the landowner must consult a Professional Archaeologist as described above. The landowner must send a copy of the archaeology reports to the North Coast Water Board and the affected tribe with a statement of protection measures for review of CEQA compliance.

Nothing in the Order should be construed as the North Coast Water Board granting the authority to any third-party access to private land.

Mitigation Measures for Treatment of Human Remains:

Upon the discovery of any human remains at a permitted property, the landowner shall immediately comply with Health and Safety Code section 7050.5 and, if applicable, PRC section 5097.98. The following actions shall be taken immediately upon the discovery of human remains:

All activities in the immediate vicinity of the discovery shall stop immediately. The landowner shall immediately notify the county coroner. Ground disturbing activities shall not resume until the requirements of California Health and Safety Code section 7050.5 and, if applicable, PRC section 5097.98, have been met. The landowner shall ensure that the human remains are treated with appropriate dignity.

Mitigation Measures to Minimize and Avoid Significant Adverse Impacts to TCR Sites:

Direct and indirect impacts to TCRs could occur from project operations. Direct impacts from to TCR sites may include significant ground disturbance activities especially around streams, and springs, stream crossings and steep banks. Direct impacts can also occur from project operations such as excavations for road prisms and stream crossings and grading roads that go through TCR sites. Indirect impacts can occur from disturbed access area or other areas within the project site where heavy equipment traverses.

The following are examples of mitigation measures that, if feasible for a given site, may be used to minimize and avoid significant adverse impacts to TCRs sites:

A. Avoidance of the site;

B. Confidentiality of the location of the site;

C. Fence off or cap-in-place areas of very high sensitivity such as burial and cemetery sites;

D. Identify equipment travel routes around sensitive TCR sites;

E. Conduct frequent walk-throughs of the sensitive TCR sites to assess conditions;

F. Restrict activities in TCR sites to seasonally dry times of the year;

G. Restrict new impacts at highly disturbed areas;

H. Provide workers training (develop brochures) about potential TCR resources in the area;

I. Protect the cultural character and integrity of the resource; and

J. Other effective mitigation measures that reduce impacts to TCR sites to a less than significant level.

Note that not all mitigation measures will apply to individual project sites. Appropriate selection of the mitigation measures above as tailored to a project's individual impacts will reduce impacts to a less than significant level.

Previously documented areas, with archaeological material or indicators that have an archaeologist report and are employing mitigations that continue to prevent significant impacts, are exempt from this section provided the landowner continues to avoid any significant adverse impacts to TCR sites. If mitigation measures to protect the site are unclear or undocumented, then the landowner must consult a Professional Archaeologist as described above.

The above are measures to identify any documented or on-site tribal cultural resources, and if found, work with local tribes to protect and preserve them. As such, with implementation of these required mitigation measures, impacts will be ***less than significant with mitigation***.

S. Utilities and Service Systems:

Would the project:

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the waste water 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?	☐	☐	☒	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
and
c) Would the project 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?

Due to the remote and rugged terrain and low population density of the Gualala River Watershed, there is very little utility infrastructure, such as wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. Adoption of the Order and implementation of BMPs to prevent or minimize sediment discharge from existing roads is anticipated to

have no change in input to, capacity, or need for additional wastewater treatment facilities, storm water drainage, electric power, natural gas, or telecommunications facilities. While it is conceivable that construction of new roads permitted under the Order would be associated with a development of sufficient scale as to require expansion of existing or construction of new utilities, such a development in the Gualala River Watershed is highly unlikely and would require a complex approval process, entailing many jurisdictions and environmental analysis far beyond the scope of the current project. As discussed in the *Water Quality and Hydrology* section, implementation of specific required BMPs typically will alter runoff patterns by reducing concentration and minimizing sediment mobilization and transport, but due to the remote location and presence of few wastewater treatment or stormwater drainage facilities, it is unlikely that any runoff from project sites would discharge to wastewater treatment or stormwater drainage facilities. Therefore, the appropriate finding is ***less than significant impact*.**

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Adoption of the Order and implementation of BMPs to prevent sediment discharge from existing roads would not require any long-term water supply. Water is often used during rural road construction or reconstruction projects to control dust or sprayed onto introduced fill material to aid in compaction. Water used would likely be delivered to project sites by a water truck or mobile tank or potentially withdrawn from a groundwater well. Any water use from these projects would be of limited volume and duration, not ongoing withdraws or require new or expanded entitlements. For these reasons, the appropriate finding is ***less than significant impact*.**

d) Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
and
e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Implementation of the Order may generate construction waste materials such as discarded gravel, culvert scrap, and excavated material associated with road repair and construction. These types of construction waste materials would largely be associated with upgrading or replacing culverts and watercourse crossings and would likely occur on an as-needed basis over an extended period of time. As such, the appropriate finding is ***less than significant impact.***

T. Wildfire:

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☒	☐	☐

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

As stated above, much of the Gualala River Watershed is designated as High or Very High Fire Hazard Severity Zones by CAL FIRE. The Order would be limited to road projects, which could result in implementation of management measures designed to prevent or minimize sediment discharge from existing roads or construction of new roads. In general, rural roads projects that would be permitted under the Order are not particularly susceptible to wildland fire hazard, and in fact, are used to fight fires by acting as fire breaks or providing access and staging areas for firefighters. BMPs to prevent or minimize sediment discharge from new or existing roads serve to decrease road failures related to large storm events. Such failures can cost a significant amount of money to repair and often take a long time, if ever, to repair. Impassable roads due to such failures can impede emergency access to remote parts of the watershed. Therefore, improvement of roads in the watershed and construction of new roads with low potential for failure has the potential to improve access for fire fighting in the event of a wildfire. Therefore, the appropriate finding is ***no impact*.**

b) Would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Roads in the Gualala River Watershed and the road projects conducted pursuant to the Order have no bearing on slope, prevailing winds, and other factors and therefore, that is no potential to exacerbate wildfire risk. The appropriate finding is ***no impact*.**

c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The primary objective of the Order is maintenance of existing roads to prevent or minimize sediment discharge. No other infrastructure such as fuel breaks, emergency water sources, power lines or other utilities will be installed or maintained under the Order. As discussed above, rather than exacerbate wildfire risk, maintenance of rural roads in remote rugged terrain present in the Gualala River Watershed have little or no potential to exacerbate wildfire risk and in fact, these roads function as firebreaks and staging areas for fire fighters. However, the use of heavy equipment to maintain roads in a high fire risk zone does include a limited inherent level of fire risk due to the nature of operational activities being completed. Considering this risk, mitigation measures to reduce the risk of wildfire from construction equipment used to implement road treatments would be included in the Ordera and also be addressed in project specific approvals by local lead agencies. As such, the appropriate finding is ***less than significant with mitigation.***

U. Mandatory Findings of Significance:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially 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?	☐	☐	☒	☐

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, substantially 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?

The Order is being undertaken as an important step in reducing the environmental impact of road-related sediment discharge in the Gualala River Watershed. The primary work that will be conducted under the Order is implementation of BMPs to prevent or minimize sediment discharge on existing roads. As described in many sections of this Initial Study, the work implementing BMPs on existing roads can result in short-term impacts within and immediately adjacent to the footprint of the road. The Order would include a comprehensive list of required mitigation measures to reduce those short-term impacts to less than significant.

New road construction by its nature results in unavoidable environmental impacts by permanently altering the landscape within the roads footprint. Mitigation measures in the Order would apply to new road construction and can help reduce the impacts. However, the permanent modification of the landscape has the potential to result in unavoidable significant impacts, including removal of topsoil, altering topography, intercepting shallow groundwater and surface runoff, compacting the roadbed and creating impermeable surfaces, altering agricultural land out of production, and removing plants. Therefore, the appropriate finding is ***potentially significant impact.***

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past

projects, the effects of other current projects, and the effects of probable future projects)?

Implementation of BMPs to prevent or minimize sediment discharge on existing roads will have a net positive cumulative effect on water quality in the Gualala River Watershed by reducing a significant source of human-caused sediment discharge, that is expected to lead to improved instream conditions. Any limited short-term impacts from conducting this work can be mitigated by implementation of measures in the Order. Any such impacts would not be cumulatively considerable due to their short-term nature.

Construction of new roads will add to the existing road network in the watershed. The permanent impacts of new road construction to the environmental factors evaluated in this Initial Study are discussed in detail in the sections above and include removal of topsoil, altering topography, intercepting shallow groundwater and surface runoff, compacting the roadbed and creating impermeable surfaces, altering agricultural land out of production and removing plants. New road construction will increase the cumulative area where these potential impacts can occur, and therefore, will result in a cumulative impact. Therefore, the appropriate finding is ***potentially significant impact.***

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

It is unlikely that adoption of the Order and implementation of BMPs to prevent or minimize sediment discharge on existing roads, or construction of new roads, mainly on large private ownerships in remote rural areas of the Gualala River Watershed, could have environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly. Rural road projects impact human beings' transportation activities, generally in a beneficial manner. Impacts from adoption of the Order and implementation of required BMPs will be limited to the environment and those impacts are primarily beneficial, particularly for the long-term health of North Coast watersheds. Potentially significant and unavoidable impacts from construction of new roads would be on environmental factors, not on human beings. The appropriate finding is ***less than significant impact.***

VI.DETERMINATION

On the basis of this Initial Study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Valerie Quinto Digitally signed by Valerie Quinto
Water Boards Date: 2025.07.10 11:07:37 -07'00' 7/10/15

Signature Date