

California Regional Water Quality Control Board  
Santa Ana Region

RESOLUTION NO. R8-2002-0044

Waiver of Waste Discharge Requirements  
for Specific Types of Discharges

WHEREAS, the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), finds that:

1. Section 13263(a) of the California Water Code requires Regional Boards to prescribe requirements for existing and proposed waste discharges in their respective areas of jurisdiction.
2. Section 13269 of the California Water Code authorizes Regional Boards to waive waste discharge requirements for a specific discharge or specific types of discharges where such a waiver is not against the public interest.
3. The waiver of waste discharge requirements for discharges that do not pose a significant threat to water quality, where such waiver is not against the public interest, would enable staff resources to be used effectively and avoid unnecessary expenditures of these limited resources.
4. On October 10, 1999, Senate Bill (SB) 390 amended Water Code Sections 13269 and 13350. SB 390 includes the following:
  - a. Extends all waivers in effect on January 1, 2000 for three years to January 1, 2003 (unless terminated earlier);
  - b. Requires renewal in five-year increments thereafter for all waivers;
  - c. All existing waivers expire on January 1, 2003 unless renewed;
  - d. Requires Regional Boards to conduct a public hearing prior to renewing any waiver for a specific type of discharge in order to determine whether the discharge should be subject to general or individual waste discharge requirements;
  - e. Imposes a duty on the Regional Boards and State Boards to enforce the waiver conditions;
  - f. Specifically expands the authority of the Regional Boards to take enforcement action for violations of waiver conditions and 401 certifications.
5. On March 8, 1996, the Regional Board adopted Resolution No. 96-9 for waiver of waste discharge requirements for specific types of discharges.


6. Resolution No. 96-9 must be reviewed and revised to comply with the requirements of SB 390.
7. Attachment "A" to this resolution lists specific types of discharges that would have an insignificant effect on the quality of waters of the State, provided the corresponding criteria and conditions are met.
8. Waiving waste discharge requirements for the specific types of discharges listed in Attachment "A" is not against the public interest.
9. The Board has reviewed the Initial Study concerning this resolution prepared by the Board staff in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and the State Guidelines and concurs with the staff findings that a Negative Declaration should be adopted.
10. On September 6, 2002, the Board held a public hearing and considered all the evidence concerning this matter. Notice of this hearing was given to all interested persons in accordance with the California Code of Regulations, Section 15072.

**THEREFORE, BE IT RESOLVED** that the California Regional Water Quality Control Board, Santa Ana Region:

1. Adopts the Initial Study and Negative Declaration regarding the waiver of waste discharge requirements for specific types of discharges, as listed in Attachment "A" to this Resolution, and directs the Executive Officer to file a Notice of Determination with the State Clearinghouse as required by the California Code of Regulations.
2. Waives waste discharge requirements for the specific types of discharges listed in Attachment "A", except those for which individual waste discharge requirements or general waste discharge requirements have already been adopted. Waste discharge requirements are waived for each specific type of discharge listed provided that the corresponding criteria and conditions are met.
3. This waiver of waste discharge requirements expires on September 1, 2007. Any action under this waiver is conditional and may be terminated for any type of discharge or any specific discharge at any time within the term of this waiver.

4. Waste discharge requirements for a specific discharge shall be considered waived only after a Report of Waste Discharge is submitted and the Executive Officer agrees that the conditions specified in Attachment "A" for the specific type of discharge will be met.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on September 6, 2002.



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Gerard J. Thibeault  
Executive Officer

Attachment "A" to Resolution No. R8-2002-0044

Specific Types of Discharges for Which  
 Waste Discharge Requirements are Waived  
 (Provided Criteria and Conditions are Met)

TYPES OF DISCHARGE	CRITERIA AND CONDITIONS
<p style="text-align: center;">Inert Waste Disposal Operations</p>	<p>Only inert waste, as defined in Section 20230, Division 2, Title 27, of the California Code of Regulations, will be disposed of. No green waste, woodwaste or gypsum board (or similar construction wastes) are allowed, and</p> <ol style="list-style-type: none"> <li>1. Controls sufficient to contain all surface runoff are installed, where necessary, and</li> <li>2. The site will be adequately secured to prevent unauthorized disposal by the public.</li> </ol>
<p style="text-align: center;">Sand, Gravel, and Quarry Operations</p>	<ol style="list-style-type: none"> <li>1. All operations and wash waters are contained within the facility,</li> <li>2. No waste discharge (including storm water runoff from operations areas) to surface waters will occur, and</li> <li>3. Stockpiles and settling basins will be protected from inundation from 100-year peak storm flows.</li> </ol>
<p style="text-align: center;">Residential Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas</p>	<ol style="list-style-type: none"> <li>1. Developments in Orange County comply with the Regional Board's "Guidelines for Sewage Disposal from Land Developments". Developments in Riverside and San Bernardino Counties comply with the individual county guidelines to discharge wastes to septic systems.</li> </ol>
<p style="text-align: center;">Industrial and Commercial Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas</p>	<ol style="list-style-type: none"> <li>1. Only sanitary wastes to be discharged into the septic systems, and</li> <li>2. Developments in Orange County comply with the Regional Board's "Guidelines for Sewage Disposal from Land Developments". Developments in Riverside and San Bernardino Counties comply with the individual county guidelines to discharge wastes to septic systems.</li> </ol>
<p style="text-align: center;">Monitoring Well Purge Water</p>	<ol style="list-style-type: none"> <li>1. Purge water is discharged to the ground in a manner so that it will percolate back into the aquifer in the same general area from which it came, and</li> <li>2. Adequate measures will be taken to prevent purge water from reaching surface waters.</li> </ol>

TYPES OF DISCHARGE	CRITERIA AND CONDITIONS
Well Drill Cuttings	<ol style="list-style-type: none"> <li>1. Cuttings determined not to be considered as hazardous waste, and</li> <li>2. Cuttings disposed of or used in a manner so as to not affect water quality or beneficial uses.</li> </ol>
Incidental Discharge of Oily Wastewater During Oil Spill Response Activities	<ol style="list-style-type: none"> <li>1. Discharges occur during an oil spill response activity, and</li> <li>2. Discharges are within or proximate to the oil spill response area.</li> </ol>
Other Insignificant Discharges of Wastewater to Land (eg: potable water pipeline draining, groundwater dewatering, etc.)	<ol style="list-style-type: none"> <li>1. All wastewater discharged in a manner so that it will percolate into the ground before reaching surface waters, and</li> <li>2. All wastewater disposed of or used in a manner so as to not affect water quality or beneficial uses.</li> </ol>

**The following conditions apply to all of the above types of discharges:**

1. Implementation of the project shall not create a nuisance or pollution as defined in the California Water Code.
2. The project shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board, as required by the Clean Water Act.
3. The discharge of any substance in concentrations toxic to animal or plant life is prohibited.

## APPENDIX G

### Environmental Checklist Form

1. Project title: Waiver of Waste Discharge Requirements for Specific Types of Discharges, Resolution No. R8-2002-0044
2. Lead agency name and address: California Regional Water Quality Control Board, Santa Ana Region  
3737 Main Street, Suite 500, Riverside, CA 92501-3348
3. Contact person and phone number: Jun Martinez (909) 782-3258
4. Project location: Portions of Riverside, Orange, and San Bernardino Counties
5. Project sponsor's name and address: California Regional Water Quality Control Board, Santa Ana Region  
3737 Main Street, Suite 500, Riverside, CA 92501-3348
6. General plan designation: N.A. 7. Zoning: N.A.
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)  
Resolution No. R8-2002-0044 Will Waive Waste Discharge Requirements for Specific Types of Discharges to Land (See Attachment "A" to Resolution No. R8-2002-0044)
9. Surrounding land uses and setting: Briefly describe the project's surroundings:  
N.A.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

#### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Aesthetics                    | <input checked="" type="checkbox"/> Agriculture Resources     | <input checked="" type="checkbox"/> Air Quality         |
| <input checked="" type="checkbox"/> Biological Resources          | <input checked="" type="checkbox"/> Cultural Resources        | <input checked="" type="checkbox"/> Geology /Soils      |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input checked="" type="checkbox"/> Land Use / Planning |

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Mineral Resources           | <input checked="" type="checkbox"/> Noise                              | <input checked="" type="checkbox"/> Population / Housing   |
| <input checked="" type="checkbox"/> Public Services             | <input checked="" type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities / Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |  |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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.

*Filomeno T. Martinez Jr.*  
Signature

August 6, 2001  
Date

Filomeno (Jun) T. Martinez Jr.  
Printed name

Regional Water Quality Control Board  
For  
*Santa Ana Region*

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose

sensitive receptors to pollutants, based on a project-specific screening analysis).

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance



SAMPLE QUESTION

Issues:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**IV. BIOLOGICAL RESOURCES -- Would the project:**

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

V. CULTURAL RESOURCES -- Would the project:

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

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

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

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

VI. GEOLOGY AND SOILS -- Would the project:

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

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

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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VII. HAZARDS AND HAZARDOUS MATERIALS --

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

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

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

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?

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

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

X. MINERAL RESOURCES -- Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XI. NOISE --

Would the project result in:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XII. POPULATION AND HOUSING -- Would the project:

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

XIII. PUBLIC SERVICES

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

- |                          |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. RECREATION --

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. TRANSPORTATION/TRAFFIC -- Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XVI. UTILITIES AND SERVICE SYSTEMS --

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Result in a determination by the wastewater treatment provider 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

Potentially Significant Impact	Less than Significant With Mitigation	Less Than Significant Impact	No Impact
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a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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DRAFT  
NEGATIVE DECLARATION

Pursuant to the California Environmental Quality Act of 1970 (CEQA), the staff of the California Regional Water Quality Control Board, Santa Ana Region, prepared an Initial Study of the possible impacts of the following described project:

PROJECT PROPONENT: California Regional Water Quality Control Board, Santa Ana Region

PROJECT TITLE: Resolution No. R8-2002-0044, Waiver of Waste Discharge Requirements.

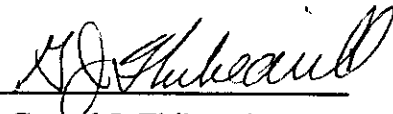
PROJECT DESCRIPTION: Conditional waiver of waste discharge requirements for specific types of discharges that have no significant adverse effects on the waters of the State. Waste discharge requirements are waived for the discharges listed in Attachment "A" to Resolution No. R8-2002-0044 provided that specified criteria and conditions are met. The waiver may be terminated for any type of discharge or any specific discharge at any time. This waiver of waste discharge requirements expires on September 1, 2007. The Regional Board may consider renewal of the waiver at a future public hearing, provided that CEQA and other relevant requirements are satisfied.

CONTACT PERSON: J. Shami - Telephone No. (909) 782-3288

FINDING:

This project, as described and proposed herein, will not have a significant effect on the environment, therefore, an Environmental Impact Report (EIR) is not required by CEQA.

In support of this finding, a copy of the Initial Study is attached.



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Gerard J. Thibeault  
Executive Officer

Dated: June 17, 2002

Attachment: Initial Study

California Regional Water Quality Control Board  
Santa Ana Region

September 6, 2002

ITEM: \*8

SUBJECT: Waiver of waste discharge requirements for specific types of discharges, Resolution No. R8-2002-0044

DISCUSSION:

The Regional Board prescribes Waste Discharge Requirements for waste discharges in accordance with Section 13263 of the California Water Code. Many types of discharges, however, do not contain a significant amount of pollutants, and have no significant effect on the quality and beneficial uses of the waters of the State. It is in the best interest of the public and the Board not to expend the resources necessary to regulate discharges that have an insignificant potential to affect water quality standards.

Section 13269 of the California Water Code empowers the Regional Board to waive waste discharge requirements for specific types of discharges where such a waiver is not against the public interest. Such waivers are conditional and may be terminated by the Board at any time.

Recent legislation (Senate Bill 390) amended Section 13269. As amended, Section 13269 stipulates that all existing waivers will expire on January 1, 2003 unless they are renewed by the Regional Board at a public hearing. It also specifies that all waivers must be reviewed at 5-year intervals and either renewed or terminated.

On March 8, 1996, the Regional Board adopted Resolution No. 96-9, which waived waste discharge requirements for specific types of discharges, provided that certain conditions stipulated in the Resolution are met. The specific type of discharges that are waived include the following:

- a. Minor Dredging Projects,
- b. Inert Waste Disposal Operations,
- c. Bridge Seismic Retrofitting,
- d. Projects Which Impact Wetlands and/or Riparian Habitats,
- e. Sand, Gravel, and Quarry Operations,
- f. Residential Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas,
- g. Industrial and Commercial Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas,
- h. Minor Stream Channel Alterations,
- i. Monitoring Well Purge Water,

*Staff Report*  
*Order No. R8-2002-0044*

- j. Well Drill Cuttings,
- k. Incidental Discharge of Oily Wastewater During Oil Spill Response Activities, and
- l. Other Insignificant Discharges of Wastewater to Land (eg: potable water pipeline draining, groundwater dewatering, etc.).

The proposed Resolution No. R8-2002-0044 updates the list of specific types of discharges for which waste discharge requirements would be waived, again provided that certain criteria and conditions are met. The following types of discharges that were previously waived in Resolution No. 96-9 are not included in the proposed Resolution No. R8-2002-0044:

- a. Minor Dredging Projects,
- b. Bridge Seismic Retrofitting,
- c. Projects Which Impact Wetlands and/or Riparian Habitats, and
- d. Minor Stream Channel Alterations.

Board staff believes that, for the most part, general waste discharge requirements can and should be formulated to address each of these types of discharges. One advantage of this approach is that the requirements can be more explicitly tailored to each type of discharge to assure that water quality and beneficial uses will be protected. Another advantage is that the requirements would need to be reviewed only once every ten years, as opposed to the 5-year review of waivers now mandated by the Water Code. This has obvious advantages in terms of Regional Board resources. Where circumstances dictate the need for it, individual waste discharge requirements could be issued for specific projects.

The types of waste discharges listed in Attachment "A" to Resolution No. R8-2002-0044 were identified on the basis that they should not result in significant adverse environmental effects, provided that the criteria and conditions also listed in Attachment "A" are satisfied. The proposed Resolution No. R8-2002-0044, if approved, would expire on September 1, 2007.

The waiver of waste discharge requirements is a project for the purposes of the California Environmental Quality Act (CEQA). In accordance with CEQA, Board staff has prepared an Initial Study and finds that no significant environmental impacts would result from the adoption and implementation of Resolution No. R8-2002-0044. A Draft Negative Declaration has therefore been prepared. Adoption of Resolution No. R8-2002-0044 includes the adoption of the Negative Declaration.

The waiver of waste discharge requirements for the specific types of discharges identified in Attachment "A" will not affect the Regional Board's authority to regulate discharges where water quality or beneficial uses could be impacted. This waiver may be terminated at any time.

*Staff Report*  
*Order No. R8-2002-0044*

RECOMMENDATION:

Adopt Resolution No. R8-2002-0044 as presented.

Comments were solicited from the following agencies:

U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch  
U.S. Fish and Wildlife Service - Carlsbad  
State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon  
State Water Resources Control Board, Division of Water Quality – Jim Maughan  
State Department of Health Services, Santa Ana – Frank Hamamura  
State Department of Health Services, Carpinteria – John Curphey  
State Department of Health Services, Carpinteria - Jeff Stone  
State Department of Health Services, San Diego – Steve Williams  
State Department of Health Services, San Bernardino – Kalyanpur Baliga  
State Department of Water Resources - Glendale  
State Department of Fish and Game – Long Beach  
Orange County Water District - Nira Yamachika  
Orange County Health Care Agency  
Riverside County Flood Control and Water Conservation District  
Riverside County Department of Environmental Health Services  
San Bernardino County Department of Environmental Health Services  
San Bernardino County Flood Control District  
Orange County Coastkeeper – Garry Brown  
Lawyers for Clean Water – c/o San Francisco Bay Keeper  
Additional list (see attached mailing list)