

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF FINANCIAL ASSISTANCE**

**ENVIRONMENTAL REVIEW PROCESS GUIDELINES
FOR
SMALL COMMUNITY GROUNDWATER GRANT APPLICANTS
June 2005**

PART I. PURPOSE

These guidelines detail steps applicants must take to comply with environmental review requirements for the Small Community Groundwater Grant (SCGG) Program administered by the State Water Resources Control Board (SWRCB), Division of Financial Assistance (Division). Generally, the process is accomplished through compliance with the California Environmental Quality Act (CEQA). The guidelines presented here are intended to supplement the CEQA Guidelines with specific requirements for environmental documents acceptable to the SWRCB when considering SCGG applicants. Detailed requirements are given in the CEQA Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3). CEQA and the CEQA Guidelines are available through the Internet at: <http://ceres.ca.gov/ceqa>. Questions regarding environmental procedures and practices should be directed to the Division's Environmental Services (ES) staff, at (916) 341-5686 or 327-9117.

CEQA Requirements

As defined under CEQA, the applicant is the *Lead Agency* and will be responsible for the preparation, circulation and consideration of the environmental document prior to approving the project. The SWRCB and other agencies having jurisdiction over the proposed project are *Responsible Agencies* and are accountable for reviewing and considering the information in the environmental document prior to approving any portion of the project.

The applicant may use a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report (EIR) to comply with CEQA requirements. The applicant may use a previously prepared document accompanied by a checklist to determine if the project is adequately covered. If the project is not adequately covered by an existing document, a Subsequent EIR, a Supplemental EIR, Addendum, or Negative Declaration should be prepared. Applicants should contact the Division before they decide to use an existing final document.

Public participation: For all projects, public participation and review are essential to the CEQA process (Section 15087). An earnest public participation program can improve the planning process and reduce the chance of delays due to public controversy. Each public agency, consistent with its existing activities and procedures, should include formal and informal public involvement and receive and evaluate public reactions to environmental issues related to its project. Public comments or controversies not addressed during the planning of a proposed project could result in the need for a subsequent environmental document at a later stage or lead to legal challenges, delaying the project and raising the cost significantly. For assistance in this

area, the applicant should call the ES staff.

Exemptions from CEQA

In some circumstances, the applicant's project may be approved under a statutory or categorical exemption from CEQA. If a project is exempt from CEQA, the applicant must complete a Notice of Exemption and submit it with the project application to the Division. Once the local agency has approved the project, the applicant files a Notice of Exemption with the County Clerk and provides a copy of the notice to the Division.

A *Notice of Exemption* should include:

- a brief description of the project;
- a finding that the project is exempt;
- references stating the applicable statutory or categorical exemption in the law or State guidelines;
- a brief statement supporting the finding of exemption.

Categorical Exemptions cannot be used if the project will occur in an environmentally sensitive area or involve an increase in treatment capacity.

PART II. DETAILED PROCEDURES

Preparation of an Initial Study (CEQA Guideline Section 15063)

An *Initial Study* is a preliminary analysis prepared by the Lead Agency to determine whether an EIR or a Negative Declaration should be prepared. The Initial Study uses the fair argument standard to determine if a project might have a significant environmental effect. The criteria for "significance" of impacts (Sections 15064 *et seq.*) must be based on substantial evidence in the record and includes:

- direct effects;
- reasonably foreseeable indirect effects;
- expert disagreement;
- considerable contribution to cumulative effects; and
- special thresholds for historical and archaeological resources.

If an applicant were to determine beforehand that an EIR would be required for the project, then an Initial Study is not required but may still be desirable to focus the analysis of impacts.

The Initial Study must include:

- a project description;
- an environmental setting;

- potential environmental impacts;
- mitigation measures for any significant effect;
- consistency with plans and policies; and
- the names of preparers.

If a checklist is used, it must be supplemented with explanations for all applicable items, including the items that are checked "no impact". Checklists should follow the format used in Appendix G of the most recent revision (1999 or later) of the CEQA Guidelines.

If the project has no significant effect on the environment, the applicant should prepare a Negative Declaration (or Mitigated Negative Declaration) and Initial Study (ND/IS) (Section 15371).

Negative Declaration (ND)

The preparation and review of an ND is similar but more abbreviated than the EIR process. The applicant must provide a notice of intent to adopt an ND (Section 15072) specifying:

- the review period;
- the time and location of any public meetings or hearings on the proposed project;
- a brief project description; and
- the location where copies of the proposed negative declaration or mitigated negative declaration are available for review.

A *Negative Declaration* is a written statement, briefly explaining why a proposed project will not have a significant environmental effect. It must include:

- a project description;
- the project location;
- the identification of the project proponent;
- a proposed finding of no significant effect; and
- a copy of the Initial Study.

For Mitigated Negative Declarations, mitigation measures included in the project to avoid significant effects must be described.

A copy of the notice of intent and the proposed ND must be mailed to responsible and trustee agencies, agencies with jurisdiction, and all parties previously requesting notice. Since the SWRCB will be a Responsible Agency, the ND/IS also needs to be circulated through the State Clearinghouse (Sections 15072 and 15073). The notice of intent must be posted in the county clerk's office and sent to the State Clearinghouse with 15 copies of the ND.

After the review period ends, the applicant should review and address all comments. The applicant may, if necessary, make minor project changes or incorporate additional mitigation measures. If the project will have no significant effect on the environment or there is a commitment to adequately mitigate for significant effects, the applicant's decision-making body then adopts the ND.

Environmental Impact Report (EIR)

A **Notice of Preparation** (NOP) must be distributed whenever an EIR is proposed (Section 15082, a & b). An NOP is a brief notice the applicant sends to notify the responsible agencies, trustee agencies, and involved federal agencies that an EIR will be prepared for the project. The NOP solicits guidance as to the scope and content of the environmental information to be included in the EIR.

Applicants may develop their own format for the NOP or they may use the format presented in Appendix I of the Guidelines. The contents of the NOP (Section 15082) are:

- a brief description of the proposed project;
- a description of the proposed project's location;
- the date, time, and place of the public hearing;
- an address where documents or files relating to the proposed project are available for review;
- an address where written comments on the scope of the EIR may be sent; and
- the deadline for submitting comments.

If the applicant is uncertain whether an EIR or a Negative Declaration is appropriate, an NOP should be distributed in order to cover both eventualities. The applicant should send a copy of the NOP directly to the ES staff at the address listed on page 9 and to the State Clearinghouse.

At this point, the applicant needs to prepare a Draft EIR (Section 15120 *et seq.*). The EIR is a detailed report, prepared under CEQA, and describes and analyzes the significant environmental effects of a project and discusses ways to mitigate or avoid the effects. The applicant should incorporate any comments received in response to the NOP into the Draft EIR. The Draft EIR contains:

- a table of contents;
- a summary;
- a project description;
- an environmental setting;
- a discussion of significant impacts;
- significant irreversible changes;
- growth inducing impacts;
- mitigation measures;

- project alternatives;
- effects not found significant;
- the organizations/persons consulted; and
- cumulative impacts.

Notice of Availability

The applicant distributes the Draft EIR to public, local, state and federal agencies for review (Sections 15085-15087). The applicant must also provide a public notice of the availability of a Draft EIR. A *Notice of Availability* must contain:

- the project description;
- the project location;
- specification of the review period;
- identification of the public hearing – date, time, and place;
- identification of significant environmental impacts;
- the address where the Draft EIR can be reviewed; and
- a statement of whether the project site is a listed toxic site.

The public notice of a Draft EIR must be sent to the county clerk's office, all responsible and trustee agencies, and any person previously requesting a copy. Table 1 lists the documentation that the applicant should send the ES staff upon initiation of the CEQA review period.

Notice of Completion

At the same time, Draft EIRs must be submitted to the State Clearinghouse for review by state agencies (Section 15205). The applicant needs to send fifteen (15) copies of the EIR to the State Clearinghouse, unless the State Clearinghouse approves a lower number in advance (Section 15205e).

The applicant may use the standard *Notice of Completion and Environmental Document Transmittal Form* included in the CEQA Guidelines (Appendix C), or develop a similar form to be used when submitting the documents. The Notice of Completion must include:

- a brief project description;
- the project location;
- the address where the draft EIR is available; and
- the public review period.

On the backside of the form, applicants should put a check on any of the "REVIEWING AGENCIES" that they would like draft documents to be sent to including "SWRCB – Division of Financial Assistance", otherwise the State Clearinghouse will select the appropriate review agencies.

The applicant must also send a formal transmittal letter to the State Clearinghouse giving them the authority to distribute the copies of the document. If a consultant is preparing the Draft EIR or ND/IS, the consultant must obtain a formal transmittal letter from the applicant stating that they give permission to the consultant to send the copies of the document to the State Clearinghouse. The letter should include the State Clearinghouse number from the NOP.

TABLE 1
 CHECKLIST FOR ENVIRONMENTAL DOCUMENTATION
 SUBMITTED TO ENVIRONMENTAL SERVICES STAFF

DURING REVIEW PERIOD	
1.	Two copies of the CEQA document for review
2.	Any biological reports or documents incorporated by reference
3.	A copy of the Notice of Completion that was circulated by the State Clearinghouse (Displaying the SCH# and circulation dates)
4.	The Notice of Intent for a Negative Declaration or Notice of Availability for an EIR
AFTER REVIEW PERIOD	
1.	Two copies of the Final EIR or adopted Negative Declaration
2.	Any comments received on the CEQA document and the applicant's responses
3.	The Adopted Mitigation Monitoring Plan (when mitigation measures are included)
4.	The Notice of Determination filed with the local County Clerk
5.	The Resolution certifying the EIR or adopting a Negative Declaration, the Mitigation Monitoring Plan, and CEQA Findings including any Statements of Overriding Considerations

If the applicant needs a shorter review period than the 30 or 45-day period required by the CEQA Guidelines, the applicant, not the consultant, must submit a written request. This formal request can be included in the transmittal letter stating the reasons for a shorter review period. Use the following address to send documents to the State Clearinghouse:

STATE CLEARINGHOUSE
OFFICE OF PERMIT ASSISTANCE
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
P.O. Box 3044
SACRAMENTO, CA 95812-3044

The focal point of the CEQA review is the State Clearinghouse. The review starts when the State Clearinghouse receives the Draft EIR or ND/IS, at which time it will assign a Clearinghouse number (SCH#) to the project. If an NOP was previously filed, the State Clearinghouse will use the SCH# assigned to the NOP. This ten-digit number (e.g. SCH# 2002061506) is very important and should be used on all documents including inquiry letters, supplemental drafts, final EIRs, etc. Note that the State Clearinghouse no longer provides acknowledgement of receipt of environmental documents. The applicant may call the State Clearinghouse at (916) 445-0613 to request verbal confirmation of receipt, or access that information by visiting the "CEQAnet" database at www.ceqanet.ca.gov. Most other questions about State Clearinghouse procedures can be answered by reviewing the State Clearinghouse Handbook at http://www.opr.ca.gov/planning/PDFs/sch_handbook.pdf.

To ensure that responsible agencies, including the Division, will receive copies of the environmental document for review, the applicant should send them directly to the agencies. This submittal does not replace the requirement to submit environmental documents to the State Clearinghouse for distribution (Section 15205f). The applicant is also responsible for sending copies of the environmental documents to any local or federal responsible agency with jurisdiction over any part of the proposed project.

After the review period ends, the State Clearinghouse will send the applicant a letter stating that the review process is closed and that they have complied with the review requirements. Any comments from state agencies will be forwarded with the letter. Note that a lack of response from a state agency does not necessarily imply concurrence.

When the comment period closes, the applicant reviews all comments received during the review process, including any oral comments received at formal or informal public meetings. The applicant then considers whether comments are significant enough to require a complete revision of the EIR or the proposed project, or whether minor changes in the EIR or addition of mitigation measures could adequately address the issues raised.

The applicant needs to incorporate any comments and their responses to comments, text revisions, and any additional mitigation measures into the Final EIR. Contents of a Final EIR (Section 15132) should include:

- the draft EIR;
- a list of persons and entities commenting on the Draft EIR;
- comments received during public review of the Draft EIR;
- lead agency responses to comments received on the Draft EIR; and
- dates for all public meetings, hearings, etc. and the dates of notices for such hearings or meetings.

The applicant’s decision-making body must certify the Final EIR. After resolving all comments and printing the Final EIR, the applicant needs to send copies to all responsible agencies including the ES staff. The ES staff will also need the plans for implementing and monitoring mitigation measures. The applicant should also send copies to agencies and individuals commenting on the Draft EIR.

Within five days after the applicant’s decision-making body has made a decision to proceed with the project, the applicant must prepare and file a *Notice of Determination* (NOD) with the Governor's Office of Planning and Research and the local County Clerk (see Appendix D of the CEQA Guidelines). The contents of the NOD are given in Table 2 for Negative Declarations and EIRs (Sections 15075 and 15094), respectively.

TABLE 2
 CONTENTS OF A NOTICE OF DETERMINATION
 FOR AN ND/MND AND EIR (Sections 15075 and 15094)

ND/MND	EIR
Project name	Project name
Project location	Project location
Project description	Project description
Lead agency’s name & date of project approval	Lead agency’s name & date of project approval
Determination that the project will not have a significant effect on the environment	Determination by the lead agency whether the project will have a significant effect on the environment
Statement that an ND/MND was adopted in accordance with CEQA	Statement that the EIR was prepared and certified in accordance with CEQA
Whether mitigation measures were made a condition of project approval and whether a mitigation monitoring plan was adopted	Whether mitigation measures were made a condition of project approval and whether a mitigation monitoring plan was adopted
ND/MND	EIR
	Whether findings were made

	Whether a statement of overriding considerations was adopted
Address where the Final ND/MND may be reviewed	Address where Final EIR and record of project approval may be reviewed

See Table 1 for documentation that the applicant needs to submit after the CEQA review period has concluded.

All correspondence with the ES staff regarding environmental documents (Draft EIRs, comments received, Final EIRs, ND/ISs, etc) should be addressed to:

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF FINANCIAL ASSISTANCE
REGIONAL PROGRAMS UNIT
1001 I STREET, 16th Floor
SACRAMENTO, CA 95814

PART III. BASIC OUTLINE FOR ENVIRONMENTAL DOCUMENTS

The purpose of the environmental review is to incorporate environmental considerations into the planning process. Prior to the selection of a specific project alternative, a thorough, unbiased and frank analysis of the environmental impacts of every reasonable project alternative should be made. Environmental concerns should be considered on an equal basis with engineering feasibility, economics, and social considerations.

In order to assist the applicant in preparing environmental documents, the ES staff has prepared this outline. The outline details project-specific information that must be disclosed, when applicable, in all environmental documents, including Initial Studies. This outline does not replace CEQA guideline requirements regarding elements of an environmental document and does not cover all necessary components of the document.

I. PROJECT DESCRIPTION

- A. Describe Project Objectives that Qualify the Project for Funding
 - 1. Correction of any water quality problems associated with wastewater treatment or disposal facilities
 - a) Public health hazards
 - b) Pollution of impaired water bodies
 - 2. Compliance with water quality regulations

- a) Waste Discharge Requirements
 - b) NPDES permits
 - c) Cease and Desist orders
 3. Preventative measures for impaired and unimpaired water bodies
 4. Capacity increase
 5. Wastewater recycling
- B. Explain How Objectives will be Accomplished
 1. New facilities
 2. Upgrading existing facilities
 3. Correction of inflow and infiltration problems
- C. Describe Any Existing Facilities
 1. Facilities (give physical dimensions and area of existing site)
 - a) Treatment facilities
 - b) Collection and/or Conveyance systems
 - c) Storage
 - d) Appurtenant structures
 - e) Effluent discharge facilities
 - f) Sludge disposal facilities
 2. Condition of facilities
 3. Level of treatment
 4. Present effluent quality
 5. Present capacity of facilities
 - a) Average Dry Weather Flow (ADWF) capacity
 - b) Peak Wet Weather Flow (PWWF) capacity
 6. Present inflow of wastewater (ADWF and PWWF)
- D. New Facilities (describe any facilities that will be constructed, removed or modified and facility operations)
 1. Facilities (give physical dimensions and area of project site)
 - a) Treatment facilities
 - b) Collection and/or Conveyance systems
 - c) Storage
 - d) Appurtenant structures
 - e) Effluent discharge facilities
 - f) Sludge disposal facilities
 2. Proposed treatment level
 3. Proposed effluent quality (describe qualitatively and quantitatively)
 4. Capacities (give in terms of ADWF and PWWF)
 - a) Design capacity (show how capacity was calculated)
 - b) Any increase needed to serve existing development
 - c) Population basis for capacity determination (include year)

- (1) Current population
 - (2) Projected population
- E. Project Approvals (discuss the roles of planning and regulatory agencies which have permit or funding authority over the proposed project)
- F. Project Location (description of the precise location and boundaries, preferably topographic, and detail map)
1. Existing facilities
 2. New facilities
 3. Storage sites
 4. Staging Areas
 5. Effluent discharge sites
 6. Disposal sites
 7. Affected service area
 8. Reuse sites (for water recycling)

II. ENVIRONMENTAL SETTING

Include a discussion of all the following detailed elements, as applicable; if an element is not present within the described area, give reasons or verify with investigative results. Consider all facilities; conveyance lines; storage, discharge, and disposal site(s); staging areas; affected service area; and water recycling reuse sites when applicable.

- A. Relationship of project to other planning (for an EIR, briefly describe the project's relationship to and consistency with other applicable planning)
1. Water quality control plans
 - a) Basin Plan (include beneficial uses of the receiving waters as given in the applicable Basin Plan)
 - b) Watershed Management Plan
 - c) Area-Wide Wastewater Treatment Plan
 2. General Plans
 3. Regional Transportation Plan
 4. Regional Housing Allocation Plans
 5. Air Quality Management Plan
 6. Habitat Conservation Plans
 7. Regional land use plans
 - a) Coastal zone
 - b) Lake Tahoe Basin
 - c) San Francisco Bay
 - d) Santa Monica Mountains
- B. Topography of the Region

1. Location of project area with regard to major topographical features
2. Elevations and slopes on project site (for grading and excavation activities)
- C. Land Use and Zoning
 1. At project site
 2. Adjacent to project site
 3. Along pipeline alignments
 4. At reclaimed water reuse sites
- D. Geology of the Region
 1. Seismic hazards
 2. Unstable substrate
 3. Erosion potentials
 4. Information directly relating to a water quality problem (e.g., fractured bedrock)
- E. Climate
 1. Annual precipitation
 2. Seasonal weather patterns
- F. Air Quality for construction related impacts
 1. Air basin
 2. State attainment status for the following pollutants:
 - a) Ozone
 - b) Nitrogen dioxide
 - c) Sulfur dioxide
 - d) Particulates
 - e) Carbon monoxide
 3. Status of local air quality plan
- G. Major Botanical Features (plant communities or associations)
Important Fish and Wildlife (major species and economically or recreationally important species)
- H. Threatened or Endangered Species (Listed, Proposed or Candidate)
 1. U.S. Fish and Wildlife Service
 2. National Marine Fisheries Service
 3. California Department of Fish and Game
 4. Private Organization Listings (e.g., California Native Plant Society)
- I. Critical Habitats listed by the U.S. Fish and Wildlife Service
 1. Plant Community Type
 2. Location
 3. Size
- J. Wetlands delineated by U.S. Army Corps of Engineers
 1. Type

2. Location
3. Size
- K. Water Resources
 1. Surface water features
 - a) Lakes
 - b) Rivers
 - c) Estuaries
 - d) Ocean
 - e) Lagoons, marshes and other water features
 2. Groundwater resources
 - a) Depth
 - b) Water quality
 - c) Basin description
 3. Receiving water quality
 - a) Qualitative description
 - b) Quantitative analysis
 - c) Comparison to effluent quality
 - d) Beneficial uses
 4. Water supplies for the service area
 - a) List of water purveyors
 - b) Percentage of supply from each source
- L. Agricultural Land
 1. Acres by type (e.g. prime, statewide significance, local significance)
 2. Zoning
 3. Present use
- M. Cultural resources
 1. Archaeological resources
 2. Historic architecture, landscapes, features, structures or objects
 3. Traditional cultural properties
 4. Paleontological resources
- N. Coastal Zone Jurisdiction
- O. Floodplain Delineated by the Federal Emergency Management Agency or Other Agency

III. PRIMARY AND SECONDARY IMPACTS

For the following subjects, list and explain short and long-term impacts from project construction and operation, and any proposed mitigation measures. Consider all facilities; conveyance lines; storage; discharge and disposal sites; staging areas; affected service area; and water recycling reuse sites, as applicable. Include secondary impacts of

other activities associated with or resulting from construction or operation of the project. Evaluate the significance of the impacts as required by CEQA.

- A. Water Quantity
 - 1. Change in point of discharge
 - 2. Increase/decrease in stream discharge
 - 3. Increase in water demands
- B. Water Quality
 - 1. Surface water
 - a) Contamination from construction materials
 - b) Siltation from construction related erosion
 - c) Effluent discharge
 - d) Storm runoff from site
 - e) Reclaimed water runoff
 - 2. Groundwater
 - a) Percolation of effluent
 - b) Construction dewatering
- C. Air Quality
 - 1. Construction dust
 - 2. Construction equipment exhaust emissions
 - 3. Plant emissions
 - 4. Odors
- D. Geology
 - 1. Slope stability
 - 2. Seismic hazards
- E. Soils
 - 1. Erosion
 - 2. Contamination
 - 3. Compaction
 - 4. Stability
- F. Vegetation
 - 1. Grading and excavation impacts
 - 2. Trampling
 - 3. Effluent impacts on aquatic and riparian vegetation
 - 4. Conflict with local policies and ordinances
- G. Fish and Wildlife
 - 1. Construction noise and interference
 - 2. Habitat loss
 - 3. Interference with movement/migration
 - 4. Waterfowl attraction to open ponds

5. Effluent impact on aquatic biota
6. Conflict with local policies
- H. Aesthetics
 1. Temporary impacts from construction
 2. Visual disruption of new facilities
 3. Creation of a new source of light or glare
- I. Noise
 1. Construction
 2. Operation
- J. Recreation
 1. Disruptions
 2. Closures
- K. Open Space
 1. Loss of
 2. Construction or operation related interference
 3. Conflict with local policies
- L. Cultural Resources
 1. Facilities construction impacts
 2. Pipeline alignment excavation impacts
 3. Erosion impacts
 4. Inundation from ponds
 5. Impacts from land application of effluent
- M. Threatened or Endangered Species
 1. Incidental taking of a species
 2. Potential for jeopardizing the viability of the population
 3. Loss of habitat
 4. Harassment
 5. Interference with movement/migration
 6. Disruption of reproductive activities
- N. Environmentally Sensitive Areas
 1. Loss of environmentally significant agricultural land
 2. Incompatible activities within the coastal zone
 3. Removal, filling, hydraulic interruption, or other means of affecting wetlands as defined by Section 404 of the Clean Water Act
 4. Impacts to sensitive natural communities identified by California Department of Fish and Game or U.S. Fish and Wildlife Service
 5. Impacts on wild & scenic rivers
 6. Construction on floodplains that could impede floodwaters or expose structures to significant losses
 7. Loss of critical habitats

- O. Energy
 - 1. Use during construction
 - 2. Use during operation
- P. Transportation/Circulation
 - 1. Traffic interference during construction
 - 2. Traffic increases during construction and operation
 - 3. Parking interference during construction and operation
- Q. Public Services
 - 1. Additional public services required for facilities operation
 - 2. Additional public services required for service area expansion
 - 3. Construction and operation interferences on public utilities
- R. Public Health and Safety
 - 1. Use of reclaimed water
 - 2. Excavation of contaminated soils
 - 3. Mosquito attraction to open ponds
 - 4. Interference with emergency operations
 - 5. Use, storage, and disposal of hazardous materials
- S. Population and Housing
 - 1. Additional work force for construction and operation
 - 2. Growth inducement
- T. Land Use and Zoning
 - 1. Incompatible use of project site
 - 2. Conflict with surrounding land use or a Williamson Act contract

IV. MITIGATION MEASURES

- A. Commitment
 - 1. Commitment is mandatory for mitigating significant impacts in a Mitigated Negative Declaration before it is circulated for review.
 - 2. Commitment for mitigating significant impacts in an EIR is necessary to avoid making a “Statement of Overriding Considerations”.
- B. Specificity
 - 1. Proposed future studies must include examples of mitigation measures that can be recommended from the studies.
 - 2. Monitoring must be accompanied by criteria that will trigger specific mitigation measures.
 - 3. Preparation of plans (e.g., an erosion control plan) must include specific examples of mitigation that the plan may include.
 - 4. Compliance with regulations must specify what regulations will do to mitigate the identified impacts.

- C. Effects of a Mitigation Measure (If a mitigation measure could cause one or more significant effects, the effects of the mitigation measure should be discussed)

V. PROJECT ALTERNATIVES

For an EIR, discuss the environmental impacts, cost effectiveness, compatibility with proposed or existing projects, and reasons for rejection for each alternative; include future options, e.g., recycling regionalization, etc. Potential alternatives should be feasible and reasonable, and should accomplish the basic purposes of the project and avoid or substantially lessen significant effects.

- A. Alternatives for Each Major Phase or Component of the Project
 - 1. Treatment processes
 - 2. Disposal
 - 3. Conveyance
 - 4. Discharges
- B. Alternative Siting Locations
 - 1. Treatment facilities
 - 2. Storage sites
 - 3. Discharge sites
 - 4. Disposal sites
 - 5. Conveyance lines
- C. Alternative Projects Which Could Accomplish the Project Objectives (Examples)
 - 1. Inflow and infiltration correction
 - 2. Upgrade of existing facilities
 - 3. Other
- D. No Project Alternative (must be included)
- E. Identification of the Environmentally Superior Alternative (if the “no project” alternative is not the environmentally superior alternative)

VI. OTHER CEQA REQUIREMENTS

- A. Cumulative Impacts (Discuss effects of reasonably foreseeable projects or project phases in the area producing related or cumulative impacts including projects under the jurisdiction of other agencies).
 - 1. Projects related to, or similar to the proposed project
 - 2. Projects which produce environmental effects similar to those of the proposed project
- B. Growth Inducing Impacts (if none, explain why not)
 - 1. Ways in which the proposed project could encourage or accommodate

growth directly or indirectly in the following areas:

- a) Economy (e.g., building facilities that will create favorable conditions to attract businesses)
 - b) Population
 - (1) increasing the capacity of facilities to allow faster population growth
 - (2) increasing the supply of water available for population growth by replacing the use of existing water supplies with the use of reclaimed wastewater
 - c) Housing (e.g., expanding the service area to allow for more housing construction)
2. Impacts (secondary or indirect) associated with growth inducement
 - a) Air pollution
 - b) Water pollution
 - c) Diminished resources
 - d) Displacement of plants and animals
 - e) Loss of open space
 - f) Loss of agricultural land
 - g) Transportation
 - h) Public Services
 3. Regional and Local Planning (including Air Quality Management Plans)
 - a) Ability of current planning to deal with growth by providing the necessary infrastructure and support facilities while attempting to minimize adverse effects on the environment.

C. Unavoidable Significant Impacts

For an EIR, discuss any unavoidable significant impacts identified in the document, their implications and the reasons why the project is being proposed notwithstanding their effect.

VII. FINDINGS

When one or more significant environmental impacts have been identified in the final EIR, the Lead Agency must prepare a written finding of fact (Section 15091). A finding is a written statement made and certified by the Lead Agency's decision-making body that explains how it dealt with each significant impact and alternative in the EIR. Findings must be supported by substantial evidence in the record.

For each significant impact, the Lead Agency must make one of the following findings:

1. changes in the project have been made to avoid or substantially reduce an

- impact. This includes the adoption of mitigation measures.
2. changes to the project are within the jurisdiction of another agency and have been or should be adopted.
 3. specific economic, social, legal, technical, or other consideration make mitigation measures or alternatives infeasible.

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

After considering the Final EIR and making Findings, if the Lead Agency finds that the proposed project will have a significant effect on the environment, after the imposition of feasible mitigation measures or alternatives, a Statement of Overriding Considerations must be prepared (Section 15093). A Statement of Overriding Considerations is a written statement explaining why the agency is willing to accept each significant impact and allows the Lead Agency the opportunity to weigh the overriding social, economic, legal, or technical benefits of the proposed project against unavoidable environmental risks in approving a project. The Statement of Overriding Consideration should be supported by substantial evidence in the record. The statement should be included in the record of the project approval and should be mentioned in the NOD.

IX. MITIGATION MONITORING AND REPORTING PROGRAM

For an EIR or MND, when a significant impact can be mitigated to avoid or substantially reduce the project's significant environmental effect, a Mitigation Monitoring Plan must be adopted (Section 15097). The Mitigation Monitoring Plans is implemented to ensure that mitigation measures and project revisions identified in the Final EIR or MND are implemented; in some cases, they are made a condition of project approval by a Responsible Agency. Mitigation Monitoring Plans must include all changes in the proposed project that mitigate each significant environmental impact and insure implementation of each mitigation measure. The Mitigation Monitoring Plan is often made part of the draft EIR or MND so that the Lead Agency can make revisions based on public comment.

Effective Mitigation Monitoring Plans:

1. state the objective of the mitigation measure and why it is recommended;
2. explain the specifics of the mitigation measure and how it will be implemented;
3. identify measurable performance standards by which the success of the mitigation can be determined;
4. provide for contingent mitigation if monitoring reveals that the success standards are not satisfied;
5. identify who is responsible for implementing the mitigation measure;

6. identify the specific location of the mitigation measure; and
7. develop a schedule for implementation.