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Staff Report

STATE CLEARINGHOUSE

Including the Substitute Environmental Documentation

State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State

[Proposed for Inclusion in the Water Quality Control Plans for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California]



Final: Adopted April 2, 2019

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8. ENVIRONMENTAL IMPACTS

This section describes the potential environmental impacts of the Procedures in compliance with 23 CCR 3777 which requires that the Water Boards identify significant or potentially significant adverse environmental impacts of any state policy for water quality control proposed for board approval. This Staff Report evaluates the Procedures on a programmatic level. As such, this Staff Report is not as detailed as an environmental document would be for a specific project that would be regulated under the Procedures. State regulations allow a program-level environmental document to be prepared on a series of actions that can be characterized as one large project and related in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program (CEQA Guidelines,⁷³ §15168(a)(3)).

CEQA does not require individual project-level analysis until proposals for such projects exist (PRC 21159(d); 23 CCR 3777(c)), and the lead agency, with primary responsibility for those projects, will conduct any required analysis at that time. Lead agencies evaluating future projects subject to CEQA may draw upon the analytical approach or appropriate general impacts from this Staff Report for initial planning. However, the State Water Board expects future environmental reviews of projects that are subject to the requirements of the Procedures to identify project-specific environmental effects. At that time, the lead agency must identify any project-specific environmental effects, and adopt all feasible mitigation for these effects, and if no feasible mitigation or alternatives are available the lead agency must adopt a statement of overriding considerations before approving the project.

Staff could not predict the exact nature of environmental impacts because such forecasting would require knowledge about future projects (e.g., scope, scale, location, and design) throughout the state.⁷⁴ However, the assessment below may be representative of the types and magnitude of most project-specific environmental impacts.

8.1 Aesthetics

CEQA requires that the lead agency consider aesthetics in determining the effects of a project. The purpose of assessing aesthetics is to identify and evaluate key visual resources in the project area and determine the degree of visual impact that would be attributable to a proposed project. For example, CEQA requires assessment of whether a project has the potential to affect or degrade scenic vistas (e.g., coastal vistas), scenic resources associated within a scenic highway, or the visual character or quality of a site and its surroundings.

Table 8-1 lists the potential categorical impacts and determinations of significance.

⁷³ <http://resources.ca.gov/ceqa/guidelines/>

⁷⁴ According to 23 CCR section 3777(c), the “environmental analysis shall take into account a reasonable range of environmental, economic, and technical factors, population and geographic areas, and specific sites, but the board shall not be required to conduct a site-specific project level analysis of the methods of compliance, which CEQA may otherwise require of those agencies who are responsible for complying with the plan or policy when they determine the manner in which they will comply.”

Table 8-1. Aesthetics Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
<i>i. Would the project have a substantial adverse effect on a scenic vista?</i>	LTS
<i>ii. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</i>	LTS
<i>iii. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?</i>	LTS
<i>iv. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</i>	LTS
LTS=Less than significant	

The Procedures may lead to less alteration, filling, or dredging of wetlands and other waters of the state. The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduce discharge of dredged or fill materials, potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing practices. More of the natural landscape would be undisturbed and, as such, there would be less potential for impact to visual resources.

The Procedures could shift development to upland areas away from wetlands and other waters of the state, or to areas where development would not have occurred in the absence of the Procedures. However, the State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential impacts to aesthetics under the CEQA process.

Further, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework, as described in Section 5 Project Background, the State Water Board determined that the effect of the Procedures on aesthetics would be less than significant.

8.2 Agriculture and Forest Resources

The Agriculture and Forest Resources category addresses the potential of a project to impact federal and state designated farmland and forest areas, and to convert these lands to other uses. More than 1.3 million acres of agricultural land in California has been converted to nonagricultural land use since 1984, according to the California Farmland Conversion Report for 2006 – 2008 (California Department of Conservation, 2011). This acreage represents an area larger in size than Merced County or a rate of one square mile every four days. The

largest losses have been in Prime Farmland and Grazing Land, while Unique Farmland has shown a small net increase since 1984.

Figure 18 shows a map of important farmland in 2010 created by the Farmland Mapping and Monitoring Program. Much of the state's important farmland is located in the Sacramento and San Joaquin Valleys extending from Red Bluff in the north to just past Bakersfield in the south. Much of the state's grazing land is in Tehama and Mendocino counties and along the edges of Sacramento and San Joaquin Valleys. The percentage of important farmland in the counties that have a projected growth rate of greater than 100% (as described in section 8.13) is Sutter: 73%; Madera: 42%; Kern: 17%; Yuba: 20%; San Joaquin: 67%; Merced: 47%; Imperial: 52%.

Figure 19 shows a map of federal lands in California, which include national forest. Much of the national forest land is located in the Sierra Nevada mountain range, as well as the Klamath Mountains in northern California. Some national forest land is also located in the Transverse and Peninsular mountain ranges in southern California.

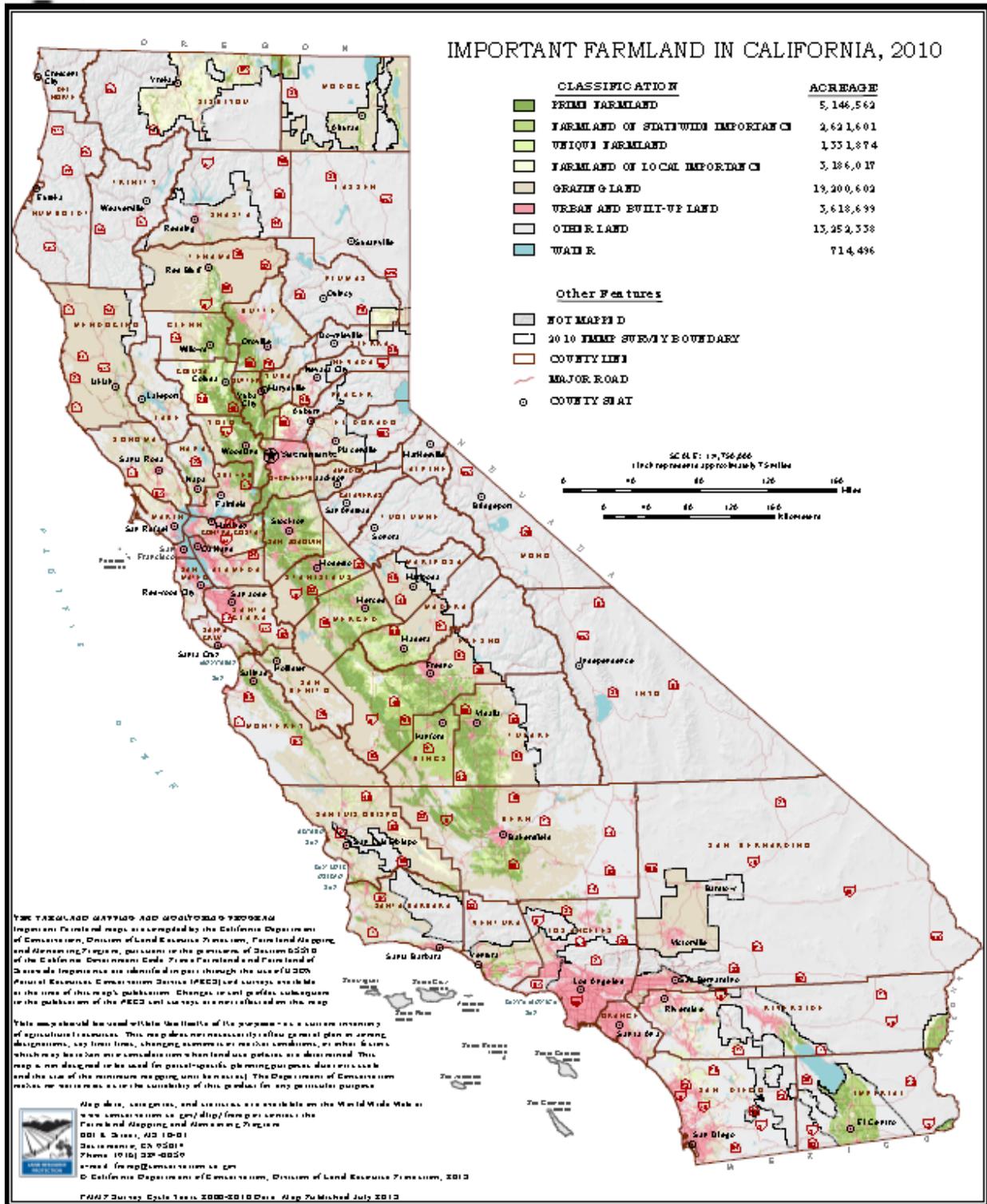


Figure 18. Important Farmland in California, 2010 (Source: Farmland Mapping and Monitoring Program)

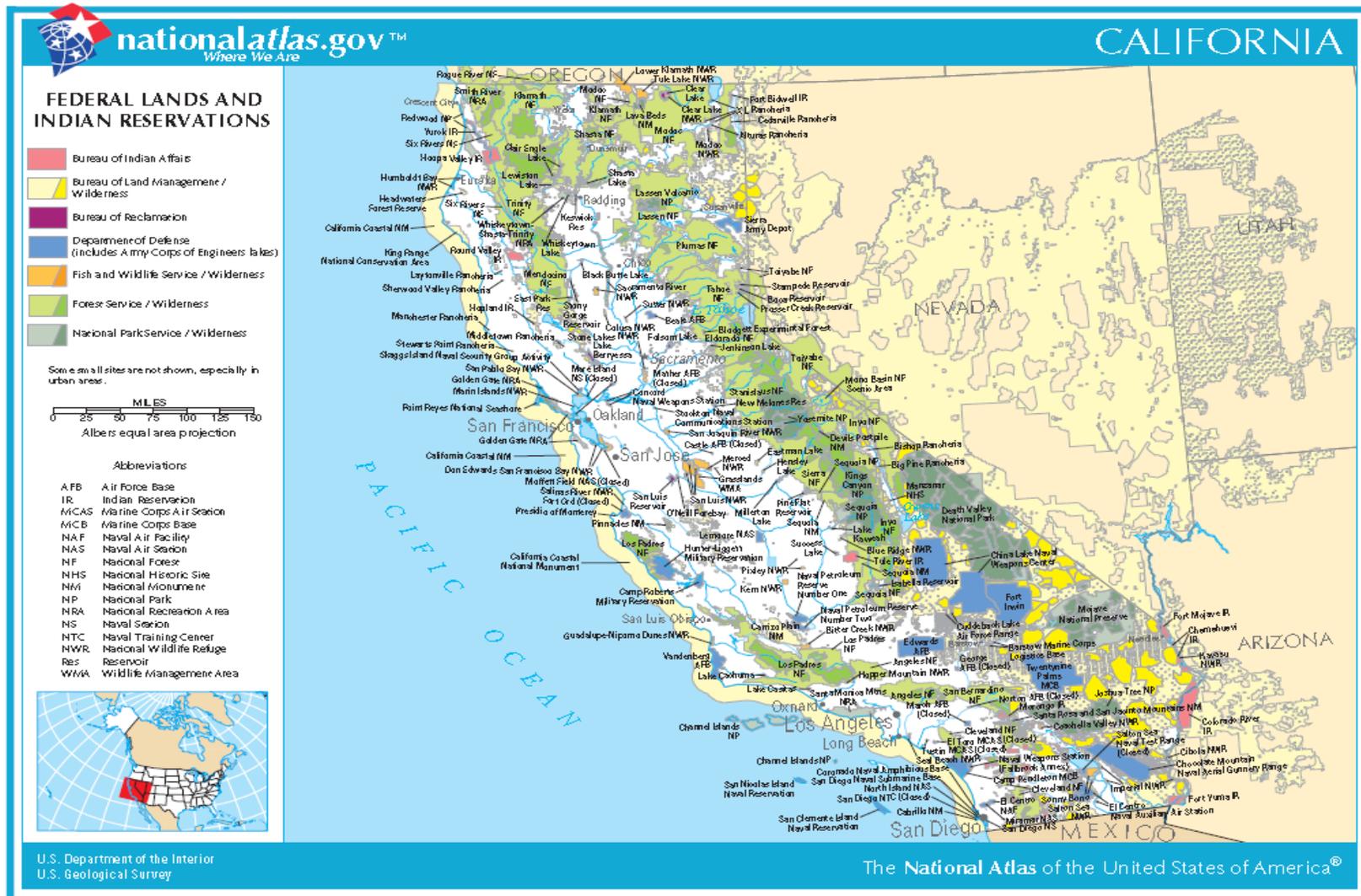


Figure 19. Federal Lands and Indian Reservations in California

Table 8-2 lists the potential categorical impacts and determinations of significance.

Table 8-2. Agriculture and Forestry Impacts and Significance Determinations	
Impact Questions	Significance Determination
<i>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?</i>	LTS
<i>i. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?</i>	LTS
<i>ii. Would the project conflict with existing zoning for, or cause rezoning of, forest land or timberland?</i>	LTS
<i>iii. Would the project result in loss of forest land or conversion of forest land to non-forest use?</i>	LTS
<i>iv. 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?</i>	LTS
LTS=Less than significant	

The CWA section 404(f) exempts certain farming, ranching, and silviculture activities as does the Procedures. Thus, these described activities and the effects of the activities on land conversion and zoning would not be subject to the Procedures.

As discussed above, the Procedures could shift proposed development to upland areas away from wetlands and other waters of the state, or to areas where development would not have occurred in the absence of the Procedures. The existing regulatory framework relevant to converting agricultural and forest land to other uses includes the California Land Conservation Act of 1965 (Government Code §51200 et seq.), commonly known as the Williamson Act. The Williamson Act provides a tax incentive for the voluntary enrollment of agricultural and open space lands in contracts between local government and landowners. The contract language restricts the land to agricultural and open space uses or other compatible uses defined in state law and local ordinances. Landowners would have to cancel Williamson Act contracts, and the land would have to be on the market for development, for such sites to be included in alternatives analyses to the dredge and fill of wetlands, and other waters of the state.

The State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential impacts to agricultural or forest resources under the CEQA process. Further, given the relatively small number of agricultural and forest land projects that would be regulated significantly differently under the Procedures compared to existing regulatory practices as

described above, the State Water Board determined that the effect of the Procedures on agriculture and forestry resources would be less than significant.

8.3 Air Quality

Under the CEQA Guidelines, the Air Quality evaluation considers the impacts of a project on ambient air quality and the exposure of people, especially sensitive individuals, to hazardous pollutant concentrations and/or possible violations of air quality standards or regional attainment of such standards. These pollutants include criteria pollutants and toxic air contaminants.⁷⁵

Table 8-3 lists the potential categorical impacts and determinations of significance.

Table 8-3. Air Quality Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) Would the project conflict with or obstruct implementation of the applicable air quality plan?	LTS
<i>i. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</i>	LTS
<i>ii. Would the project expose sensitive receptors to substantial pollutant concentrations?</i>	LTS
<i>iii. 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 federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</i>	LTS
<i>iv. Would the project create objectionable odors affecting a substantial number of people?</i>	LTS
LTS = less than significant	

As discussed above, the Procedures could shift proposed development to upland areas away from wetlands and other waters of the state, or to areas where development would not have occurred in the absence of the Procedures. The use of construction equipment could result in some or all of the impacts listed above in areas where projects would not have been in the absence of the Procedures. Most of the

⁷⁵ The criteria pollutants include those regulated by federal and state laws: ozone, carbon monoxide, suspended particulate matter, oxides of nitrogen, and sulfur dioxide. State regulations identify additional toxic air contaminants (i.e., particulate matter from diesel-fueled engines, asbestos, chlorinated organic compounds, metals, radon and iodine gas, and other contaminants).

counties with high projected growth rates as discussed in Section 7, “Environmental Setting,” are also counties designated for nonattainment of national ambient air quality standards for one or more criteria air pollutants as of December 2013 (U.S. EPA, 2013b). Overall, however, small locational changes would not cause an increase in air emissions in California as the Procedures would not increase the total number of projects in California. In many cases, project proponents will consider potential impacts of air quality under the CEQA process.

Further, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to existing regulatory practices, the State Water Board determined that the effect of the Procedures on air quality would be less than significant.

8.4 Biological Resources

California contains a wide variety of terrestrial and aquatic habitats that are home to numerous indigenous and/or sensitive plant and animal species. This section focuses primarily on wetland habitats, but because the Procedures regulate all waters of the state, and may influence the location of future projects and the quantity of compensatory mitigation sites that may be constructed, most habitats in California are potentially relevant to this analysis. Section 7 describes the environmental setting in detail.

Wetland Habitats

As noted in Section 5, “Project Background,” wetlands serve numerous critical ecological functions. Wetlands provide habitat for a variety of plant and animal species, some of which are threatened or endangered. California historically had a vast quantity of wetlands, of which greater than 90 percent have been lost since European settlement. In recent years, largely due to compensatory mitigation policies, net wetland losses have slowed, but compensatory mitigation wetlands have not always succeeded in replicating the functions of the natural wetlands they replace.

Table 8-4 shows the acreage of wetlands in California by wetland type according to a report on the state’s wetlands released by the California Natural Resources in 2010. The total in Table 8-4 is slightly higher than the total wetland acreage from EcoAtlas data shown in Table 8-4, or 2,175, 249 acres (all habitat types except fluvial channel, and lake, reservoir, and associated vegetation). The data from EcoAtlas comes from CARI v0, or the California Aquatic Resource Inventory. CARI represents a compilation of the best available local, regional, and statewide maps of surface waters. Datasets used in CARI include the National Wetland Inventory (NWI) of the U.S. Fish and Wildlife Service and the National Hydrography Dataset (NHD) of the U.S. Geological Survey, as well as maps from regional and local agencies. CARI is likely more accurate than the data from the 2010 State of the State Wetland Report, although CARI is still not a complete representation of California’s wetlands as the maps contributing to CARI v0 vary in detail and accuracy, and they represent different time periods, different areas of the state, and different classification systems. These differences greatly complicate the efforts to accurately assess total amounts and over time as map base layers are updated. These measures will improve as

CARI v0 is replaced by CARI v1, which is based on a standardized mapping approach developed by statewide experts and implemented regionally to meet the needs of local land use planners and managers.

Palustrine wetlands, which are what most people think of when hearing the term “wetland,” make up more than half of all wetlands in California. Most palustrine wetlands lack flowing waters and are dominated by vegetation, but the category also includes small, shallow wetlands without vegetation (Figure 20, Cowardin et al., 1979). The palustrine category covers a variety of wetlands including marsh, swamp, bog, fen, and prairie wetlands as well as small, shallow, permanent or intermittent waterbodies (Cowardin et al., 1979).

Wetland Type	Wetland Area (acres)
Intertidal beaches and rocky shoreline	10,365
Saline and brackish estuarine wetlands	159,534
Palustrine (playas, ponds, wet meadows, etc.)	1,751,212
Lacustrine (wetlands associated with lakes and reservoirs)	740,240
Streams, rivers, canals, etc.	251,150
Total	2,912,501

Source: California Natural Resources Agency (2010)

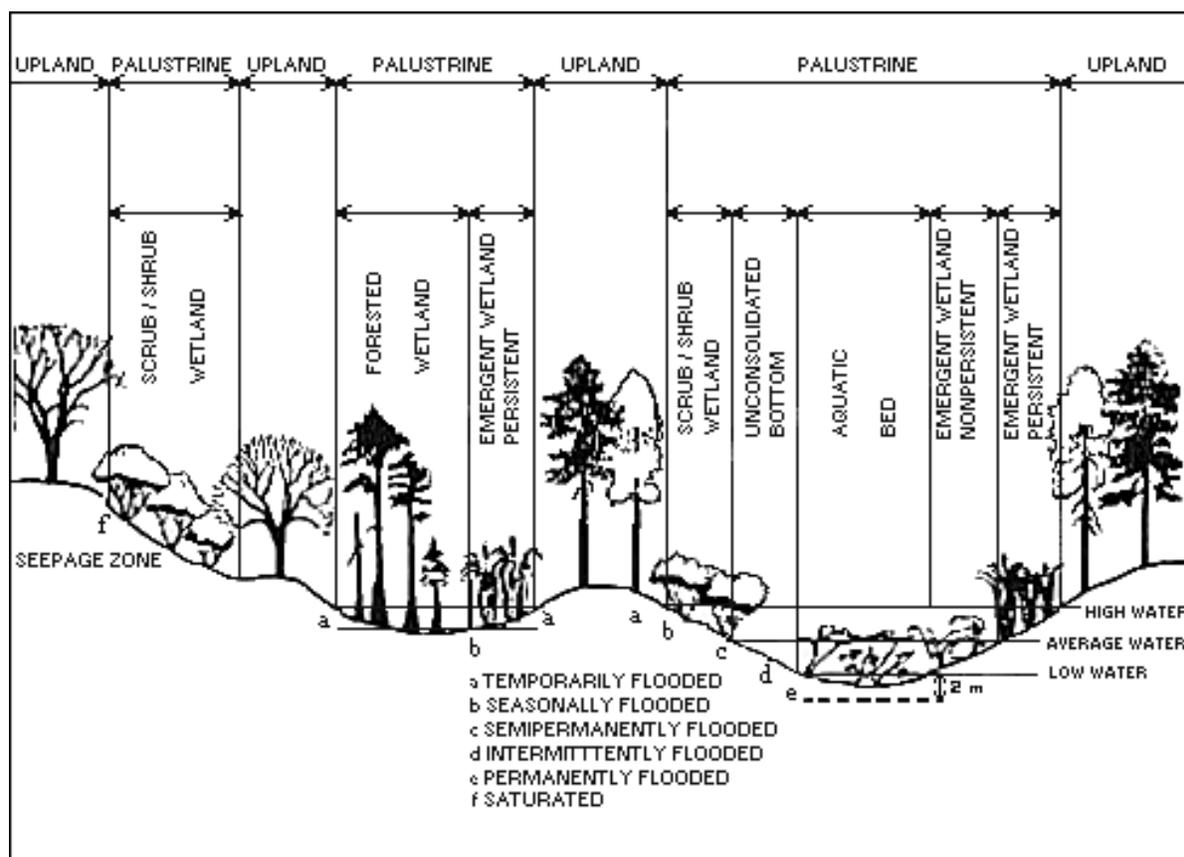


Figure 20. Distinguishing features and examples of habitats in the Palustrine System (Cowardin et al., 1979)

Biodiversity and Special Status Species

Bunn et al. (2007) report that California has more biodiversity, in terms of number of species, than any other state in the country. The California Natural Diversity Database (CNDDDB) tracks species endemic to the state. As of November 3, 2011, the CNDDDB contained records for 13,374 species of animals, 44,554 species of plants, 179 species of lichens, 398 species of fungi, and 45 species of algae and diatoms (CNDDDB, 2014). The list of species tracked in CNDDDB is not comprehensive, so it is likely that numerous other species exist in the state.

Some of this biodiversity includes special status species listed as threatened or endangered at the federal or state level, or are otherwise considered to be rare or at risk in California. As of January 2011 (the most recent update to the list of special status animal species), there were 898 taxa of special status animals. As of April 2014, there were 149 state and/or federally listed threatened and endangered (T&E) animal species, of which 49 appear on both lists. As of April 2014 (the most recent update to the list of special status plant species), there were 32 bryophytes, 10 lichens, and approximately 2,200 vascular plants on the list (CNDDDB, 2014). This list includes 218 state-listed T&E plants and 184 federally-listed T&E plants, with 122 of these appearing on both lists.

Nationally, wetlands comprise less than 10 percent of the landscape, but provide important habitat for 68 percent of T&E birds, 66 percent of T&E mussels, and 75 percent of T&E amphibians (Perkins et al. 2005). In California, wetlands support 41 percent of the state’s rare and endangered species, including 55 percent of T&E animal species and 25 percent of T&E plant species (WEF 2000).

Significance Determination

Adverse environmental impacts to biological resources could be significant if, relative to the existing conditions, implementation of the Procedures would result in:

- **Potential modification or destruction of habitat, breeding areas, or movement corridors for any special status species;**
- **Potential adverse impacts or any measurable degradation of wetlands, sensitive vegetation communities, riparian habitats, or protected habitats;**
- **Potential mortality of a number of members of any species substantial enough to affect a species’ viability, abundance, or diversity, including any direct or indirect mortality of special status species;**
- **Potential conflicts with any provisions of an adopted NCCP, HCP, or other approved plan to conserve habitat; or**
- **Potential conflicts with any local ordinances designed to protect biological resources.**

Table 8-5 lists the potential categorical impacts and provides staff’s determinations of significance.

Table 8-5. Biological Resources Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?</i>	NI
i. <i>Would the project have a substantial adverse effect on any aquatic resource, including adjacent riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?</i>	NI
ii. <i>Would the project have a substantial adverse effect on State or federally-protected wetlands as defined by various State regulations and §404 of the CWA (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?</i>	NI

<p><i>iii. Would the project have substantial interference with the movement of any native resident or migratory fish or wildlife species or within established native resident or migratory corridors, or impede the use of native wildlife nursery sites?</i></p>	<p>LTS</p>
<p><i>iv. Would the project conflict with any local policies or ordinances protecting biological resources, such as tree preservation projects or ordinances?</i></p>	<p>NI</p>
<p><i>v. Would the project conflict with the provision of an adopted HCP, NCCP, or other approved local, regional, or State plan?</i></p>	<p>NI</p>
<p>NI = No Impact</p>	

The Procedures would provide consistent identification of wetlands, and strengthen efforts to avoid and minimize impacts to wetlands and other waters of the state through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid wetland impacts, potentially resulting in the protection and retention of a greater proportion of natural wetlands and other waters of the state relative to existing policy. The Procedures also require a watershed approach to mitigation and incentivize compliance with Water Board approved watershed plans by reducing mitigation requirements. Improved wetland protection may increase protection of species identified as a candidate, sensitive, or special status species.

The Procedures have the potential to shift projects or activities to upland areas away from wetlands. The State Water Board does not have information on the location of future projects or the effect of upland project locations relative to sensitive species or habitats. Given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework. For these reasons, the State Water Board determined that the effect of the Procedures on protected species would have no significant impact.

Similarly, the Procedures will strengthen efforts to avoid and minimize impacts to adjacent riparian habitats or state and federally-protected wetlands. This will result in the protection and retention of a greater proportion of these wetland and riparian areas relative to existing practices. Therefore, the Procedures would not have significant impact on these resources.

Adverse impacts to the movement of native resident or migratory fish or wildlife species are most likely to occur when natural habitats are altered or destroyed. The Procedures would increase protection of natural wetlands and other waters of the state; therefore, it would protect movements of native resident or migratory species in these habitats. The Procedures have the potential to shift projects or activities to upland areas away from wetlands and other waters of the state, and it is possible that projects could affect some migratory wildlife species within migratory corridors. The State Water Board does not have information on the location of future projects or the effect of upland project locations on wildlife migration. However, selection of the LEDPA would avoid more damaging impacts to the

movement of species. Accordingly, the State Water Board determined that the effect on the Procedures on ecological migration would be less than significant.

Finally, the Procedures would strengthen efforts to avoid and minimize impacts to wetlands and other waters of the state by requiring an evaluation of alternatives to identify and implement the LEDPA. This process will avoid or reduce conflicts with policies, regulations, and planning documents, including HCPs, NCCPs, or other similar plans. The Procedures would have no significant adverse impact for these issues.

8.5 Cultural Resources

The purpose of the cultural resources evaluation is to identify and evaluate the potential for a project to adversely affect paleontological, archaeological, and historical resources.⁷⁶ National, state, or local authorities may designate a cultural resource as significant. The resources of concern include, but are not limited to, fossils, prehistoric and historic artifacts, burials, sites of religious or cultural significance to Native American groups, and historic structures.

Table 8-6 lists the potential categorical impacts and determinations of significance.

Table 8-6. Cultural Resources Categorical Impacts and Significance Determination	
Impact Questions	Significance Determination
a) <i>Would the project cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?</i>	NI
<i>i. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?</i>	NI
<i>ii. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</i>	NI
<i>iii. Would the project disturb any human remains, including those interred outside of formal cemeteries?</i>	NI
NI = No Impact	

⁷⁶ The CEQA Guidelines section 15064.5 define a historical resource as: (1) a resource in the Register of Historical Resources; (2) a resource included in a local register of historical resources, as defined in PRC §5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (3) any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant to California. Archaeological resources may refer to an archaeological artifact, object, or site as defined in CEQA §21083.2.

The Procedures would potentially lead to less alteration, filling, or dredging of wetlands and other waters of the state. As a consequence of the adoption of the Procedures, more of the natural landscape adjacent to and including waters of the state would be undisturbed and as such, there would be less potential for impact to cultural resources associated with these areas.

The Procedures could shift development to upland areas away from wetlands and other waters of the state. However, the State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential impacts to cultural resources under the CEQA process. Also, selection of the LEDPA process, along with other relevant environmental regulations, would avoid selection of sites with adverse alternatives. Further, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to existing regulatory practices, the State Water Board determined that the effect of the Procedures on cultural resources would have no impact.

8.6 Geology and Soils

The changes associated with the Procedures would be implemented within the existing framework of regulations surrounding the maintenance of the state's soil resources. There are many regulatory protections and policies that address erosion and retention of natural topsoil. These include, but are not limited to: soil conservation and agricultural best management practices, permitting of excavation, construction, and road building activities, flood control and stormwater management and pollution prevention plans, forestry harvesting practices, and local land use regulations requiring counties and cities to adopt land use plans that address the conservation and development of soils among other natural resources. The resources of interest are the geologic conditions, soil resources, and surface and sub-surface features found in the state.

The topographic diversity within geological provinces combined with the geologic weathering process break down rock material to produce a variety of soils. Some of these soils are 'residual' in that they've formed in place above bedrock as opposed to being transported from elsewhere (Carle, 2010). However, sediments from the regular weathering of the state's mountain ranges are frequently carried via major river systems and deposited in areas of lower elevation (DeCourten, n.d.). The topographic diversity in California in combination with an abundance of exposed sandy soils encourages this phenomenon. As a result of this transport, California is relatively vulnerable to erosion (Natural Resource Conservation Service (NRCS), 2003). Erosion may also be the result of anthropogenic activities such as construction, land clearing, farming, forestry and hydrologic engineering (NRCS, 2003).

Table 8-7 lists the potential categorical impacts and determinations of significance.

Table 8-7. Geology and Soils Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</i>	NI
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.	NI
ii. Strong seismic ground shaking?	NI
iii. Seismic-related ground failure, including liquefaction?	NI
iv. Landslides?	NI
<i>i. Would the project result in substantial soil erosion or the loss of topsoil?</i>	LTS
<i>ii. 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?</i>	NI
<i>iii. 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?</i>	NI
<i>iv. 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?</i>	NI

The State Water Board expects that the Procedures would have no impacts relative to seismic risk issues (i.e., it would not increase the number or extent of populations or structures exposed to adverse seismic conditions). Therefore, this analysis is restricted to consideration of impacts to soil resources.

Discussions of the decision-making regarding the level of significance for selected individual categorical impacts are provided below.

The State Water Board intends for the Procedures to provide consistent identification of wetlands, and strengthen efforts to avoid and minimize impacts to wetlands and other waters of the state through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in the protection and retention of a greater proportion of natural wetlands and other waters relative to the

existing regulatory practices. Since trapping sediments moved by flooding or rain is a common service provided by wetlands and riparian areas, the Procedures would result in reduction of soil erosion in many locations.

The Procedures have the potential to shift projects to upland areas away from wetlands and other waters of the state. However, the State Water Board does not have information on the location of future projects or the effect of upland project locations on potential erosive soils. Also, selection of the LEDPA process, along with other relevant environmental regulations, would avoid selection of sites with adverse alternatives. In addition, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to existing regulatory practices, the State Water Board determined that the effect on the Procedures on erosion would be less than significant.

The Procedures may result in retaining intact more natural aquatic resources through a shift in development activities to upland areas. However, the State Water Board does not have information on the location of future projects or the effect of upland project locations on potential unstable or expansive soils. By directing development away from wetlands (and associated hydric soils), the Procedures should have no significant effect on the ability of development to support on-site wastewater disposal systems. Selection of the LEDPA under the Procedures, together with other appropriate local regulations (zoning, building codes, sanitary laws, etc.), would avoid selection of such alternatives. Overall, the State Water Board determined that the soil impact issues would not be significant.

8.7 Greenhouse Gas Emissions

The term “greenhouse effect” refers to the process by which greenhouse gases (GHGs), including CO₂, methane, ozone, water vapor, nitrous oxide, and chlorofluorocarbons, insulate the earth by reflecting light and infrared radiation back to earth. Some GHGs are also stored (“sequestered”) outside the atmosphere through natural processes. Two major natural providers of carbon sequestration include plants by assimilation of atmospheric carbon into structural organic carbon (vegetation, stems, roots) via photosynthesis, and the oceans via deposition of organic carbon in sediments at the ocean floor.

Human activities have increased atmospheric concentrations of GHGs both directly, through the emissions associated with combustion of fossil fuels, and indirectly, through the degradation and destruction of natural resources that sequester GHGs outside the atmosphere (i.e., carbon sinks). As atmospheric concentrations of GHGs continue to rise due to human activity, so will global climate change, which may increase average temperatures. These changes could have the following impacts:

- ***Human health impacts, including those associated with increased frequency of air quality issues, increased number of extreme heat events, and increased conditions favorable to disease vectors (World Health Organization, 2003; Intergovernmental Panel on Climate Change (IPCC), 2007);***

- ***Sea level rise, resulting in increases in coastal flooding events (Heberger et al. 2009);***
- ***Increased variability in local and regional weather patterns and flooding events (IPCC 2007);***
- ***Increased water shortfalls as a result of decreased snowfall in the Sierra Nevada mountain range (California DWR, 2008); and***
- ***Changes in habitat distributions, species ranges, and invasive species vulnerability (IPCC 2007).***

Wetlands sequester atmospheric carbon in living vegetation and by converting fine rocks, sediments, and mineral deposits and litter to organic rich soils. Wetlands also release methane, a GHG, through the activity of bacteria present in flooded wetlands. Climate scientists debate whether wetlands are climate neutral where increases in carbon storage are offset by increases in methane production. However, there is general agreement that the role of wetlands in storing vast amounts of carbon, especially in peat land, is crucial to reducing atmospheric carbon.

For GHG emissions, a categorical impact is significant if, relative to existing policy, implementation of the Project would result in:

- ***Generation of significant quantities of GHG emissions, directly or indirectly, that may have a significant impact on the environment, or***
- ***Conflict with any applicable plan, project, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.***

Table 8-8 lists the potential categorical impacts and determinations of significance.

Table 8-8. Greenhouse Gas Emissions Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
<i>a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	LTS
<i>i. Would the project conflict with any applicable plan, project, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?</i>	NI

The Procedures would provide consistent identification of wetlands, and strengthens efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. As noted above, natural wetlands functions both as a carbon sink through sequestration and as a GHG source through natural methane release. However, the Procedures would retain current wetlands rather than increase wetland area, so the present carbon balance would be maintained.

The Procedures have the potential to shift projects or activities to upland areas away from wetlands and other waters of the state. However, the State Water Board does not have information on the location of future projects. Changes in projects locations would not result in a net increase of GHG emissions because the Procedures would not increase the number of projects. Finally, there would be a relatively small number of projects that would be regulated significantly differently under the Procedures as compared to the existing regulatory practices. Accordingly, the State Water Board determined that the effect on the Procedures on GHG emissions would be less than significant.

The Procedures would increase preservation of natural wetlands and aquatic resources. Existing GHG plans, projects, and regulations, where applicable, are typically triggered by projects that alter existing resources. Therefore, the Procedures would have no significant impact on existing plans, projects, or regulations designed to reduce GHG emissions.

8.8 Hazards and Hazardous Materials

Although wetlands are responsible for a host of invaluable ecosystem services, these waters may also present hazards under specific circumstances. For example, significant concentrations of inorganic mercury are present in many of the soils and hydrologic systems in the state, and mercury is the most pervasive and problematic trace metal in the state's aquatic systems (Davis et al., 2007). In addition, as wetlands provide essential habitat for migratory bird species, these waters attract large bird populations. Proximity of a wetland area to an airstrip could present a bird strike hazard; the higher the concentration of birds in close proximity to an airfield, the higher the risk that a bird will strike an aircraft in a way that jeopardizes the lives of those onboard. Finally, the presence of wetland vegetation near urban areas may pose an increased risk of wildfire damage, especially if the wetland is unsaturated during the dry season and located in the arid southern regions of the state.

Methylmercury Exposure

Significant amounts of inorganic mercury have been released into the major water systems in the state, primarily into the Sacramento-San Joaquin Delta. The chief sources of inorganic mercury are mercury mining sites in the Coast Range, and gold mining operations in the Sierra Nevada and Klamath Mountains, which historically used mercury to enhance gold recovery (Alpers et al., 2005; Davis et al., 2007). After being released from historical mines, mercury travels in the form of surface water particulate matter, eventually settling throughout connected waterbodies. Mercury concentrations are highest in areas where historical mercury and gold mines were concentrated.

Once deposited in the surface sediments of waterbodies, sulfate- and iron-reducing bacteria process inorganic mercury compounds into methylmercury, a toxic compound that bioaccumulates in living species, posing serious health risks to humans from consumption of mercury-contaminated fish and game. The association of these formation processes within wetlands is well established (Lacerda and Fitzgerald, 2001). Habitats with the highest level of methylmercury production, concentration, and exposure to biota are those with periodic flooding periods separated by enough time for complete

drying to occur (Gilmour et al., 2003; St. Louis et al., 2004; Alpers et al., 2008). As such, the wetlands most likely to present methylmercury hazards are those that are periodically flooded and dried as well as wetlands located in or downstream of areas populated by historical mines.

Wildlife Hazards to Aircraft

Wildlife hazard in this context refers to the risk of ‘bird strikes’ or collisions between birds and aircraft. Most bird strikes do not result in any aircraft damage, but some have led to serious accidents involving aircraft of all sizes. According to Bird Strike Committee USA (2012), collisions between aircraft and birds and other wildlife result in over \$600 million in damage to United States civil and military aviation each year.

The risk of such bird strikes is heightened in areas of high aircraft traffic located near habitats that attract birds, such as wetlands. As a consequence, the Federal Aviation Administration (FAA) requires that commercial airports comply with its wildlife hazard mitigation measures to minimize hazardous wildlife attractions in consultation with a wildlife damage management biologist, and otherwise follow FAA guidelines to reduce the risks. Additionally, since information about whether projects are located in close proximity to airports is not available, the potential for this risk would be determined at the individual project level on a case-by-case basis. As airport operators are already required to comply with FAA guidelines regarding wildlife hazards, the appropriate mitigation measures are already incorporated at most airports.⁷⁷

Wildfire Hazards to Populated Areas

Wildfire risk is a potential hazard in many parts of California. The California Department of Forestry and Fire Protection maps wildfire frequency and behavior statewide and has combined both analyses into a single assessment known as ‘Fire Threat’ (City of Roseville, 2005). Areas of high threat include large zones in Southern California, the central coast, lower elevations of the Sierra Nevada, and much of the northern interior of California. A significant amount of this fire threat is located near densely populated areas. Wetlands could contribute to wildfire risks under some circumstances, by providing fuel in the form of vegetation during dry periods.

Wildfire risk is influenced by the local terrain and climate conditions as well as the standing stock of vegetation that could provide fuel for wildfires during dry periods. As needed, the potential risk can be mitigated through fuel modification strategies consistent with local fire codes that protect populated areas from exposure to wildfires, along with other locally established best management practices.

⁷⁷ Additionally, when applicable, proposed projects must comply with Public Resources Code section 21096, which requires that lead agencies utilize the Department of Transportation’s Airport Land Use Planning Handbook to assist in the development of environmental impact reports.

Significance Determination

There are four categories for significance thresholds under hazards and hazardous materials, based on the nature of the categorical impacts: hazardous material exposure thresholds, wildlife hazard thresholds, wildfire risk thresholds, and response planning interference thresholds. Thresholds of significance are:

- ***An impact to hazardous materials exposure risks would be considered significant if the implementation of the Project would: a) result in the handling, storage, and treatment of hazardous materials, or b) provide for activities on or within 1,000 feet of a known contaminated site, or within 2,000 feet of a Superfund site;***
- ***An impact to risk from bird strikes would be considered significant if the implementation of the Project presents any form of safety hazard to a nearby airport as specified in the FAA Code of Federal Regulations;***
- ***An impact to risk from exposure to wildfire would be considered significant if the implementation of the Project prevents brush management requirements from being met;***
- ***An impact to response planning interference would be considered significant if the implementation of the Project would substantially affect Police or Fire-Rescue response times.***

Table 8-9 lists the potential categorical impacts and determinations of significance.

Table 8-9. Hazards and Hazardous Materials Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	NI
<i>i. 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?</i>	NI
<i>ii. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school:</i>	NI
<i>iii. 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 to the environment?</i>	NI
<i>iv. and f) For a project located within an airport land use plan, 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. Or, 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?</i>	LTS
<i>v. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</i>	NI

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid wetland impacts and reduced discharge of dredged or fill material potentially resulting in the protection and retention of a greater proportion of natural wetlands relative to existing practices.

Although wetland areas are potential sites of mercury methylation, the Procedures would not create any additional mercury that is not already present in existing wetlands. Additionally, reducing the scale or frequency of discharge of dredged or fill material in wetland areas could reduce mercury exposure resulting from the disturbance and erosion of potentially mercury-rich sediments. Overall, the

Procedures would not increase mercury concentrations or increase exposure compared to existing conditions.

Because the Procedures is intended to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, the Procedures would result in fewer opportunities for spills, leaks, discharges (i.e., oil and gas used for construction equipment), emissions or transportation accidents involving hazardous materials within aquatic resource areas.

An increase in alternative project sites associated with the Procedures has the potential to shift projects or activities associated with hazardous materials to areas that may not have been developed in the absence of the Procedures. Determining whether use of alternative sites would result in changes in risk from hazardous materials is impossible to predict. However, selection of the LEDPA, along with other relevant environmental regulations, would ensure the selection of sites with the least adverse environmental impacts. In addition, the State Water Board determined that the effect on hazardous materials would be less than significant.

The Procedures are not expected to significantly increase existing wetland area nor result in a significant number of additional compensatory mitigation sites given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to existing regulatory practices. The Procedures would thus have no impact on development of alternative sites within five miles of any airport and pose no added danger to air traffic safety. Accordingly, staff determined potential impacts due to air safety issues to be less than significant.

The Procedures would have no significant impact on implementation of an adopted emergency response plan or emergency evacuation plan because the Procedures do not override the requirements for project developers to ensure projects do not interfere with these plans.

8.9 Hydrology and Water Quality

California is divided into nine Regional Water Quality Control Boards based on major watersheds. The Water Boards share the responsibility for protecting water resources in the state. In addition to those reviewed in section 5.1, several other federal and state laws are designed specifically to protect the state's hydrologic resources associated with streams and water quality, including:

- ***Section 10 of the Rivers and Harbors Act (33 U.S.C. 401 et seq.);***
- ***Executive Order 11988—Floodplain Management (United States Department of Transportation Order 5650.2; 23 C.F.R. 650, Subpart A.);***
- ***CDFW Code (§160o–1616 [Streambed Alteration]); and***
- ***Cobey-Alquist Flood Plain Management Act (Wat. Code §8400 et seq.)***

Surface waters include permanent, intermittent and ephemeral ponds, lakes, reservoirs, coastal estuaries and lagoons, and sloughs. Surface waters include human-made water features such as aqueducts, salt evaporating ponds, and improved flood control or drainage channels. Surface waters are important for water supply, irrigation waters, assimilative capacity, and flood control. These waters provide important habitat for fish and wildlife species, support wetland and riparian areas, provide direct pathways connecting to downstream ecological or human resources, and provide locations for groundwater recharge.

Groundwater is found in subsurface water-bearing formations. A groundwater basin is defined as a hydrogeologic unit containing one large aquifer or several connected and interrelated aquifers. Groundwater basins, which do not necessarily coincide with surface drainage basins, are defined by surface features and/or geological features such as faults, impermeable layers, and natural or artificial divides in the water table surface. The elevation of groundwater varies with the amount of withdrawal and the amount of recharge to the groundwater basin.

High water quality supports the designated water uses of a waterbody. Water quality in California is high in the largely unpopulated mountainous source areas but may be adversely affected as it reaches lower elevation where human activities and anthropogenic land uses occur. Land use affects surface water and groundwater quality. Both point and nonpoint source discharges contribute contaminants to surface waters. Pollutant sources in urban areas include parking lots and streets, rooftops, exposed earth at construction sites, and landscaped areas. Pollutant sources in rural/agricultural areas primarily include farming, ranching, forestry, and mining operations.

Contaminants in runoff waters may include sediment, hydrocarbons (e.g., fuels, solvents, etc.), metals,⁷⁸ pesticides, bacteria, nutrients, and trash. The impacts of pollutants on aquatic systems are many and varied. Polluted runoff waters can result in impacts on aquatic ecosystems, public use, human health (from ground and surface water contamination), damage to and destruction of wildlife habitat, decline in fisheries, and loss of recreational opportunities.

As a result of the Procedures, potential adverse impacts on water quality may result from construction activity associated with building and compensatory mitigation activities (e.g., grading, which removes vegetation, exposing soil to wind and water erosion). A potential erosive condition occurs in areas with a combination of erosive soil types and steep slopes. Erosion can result in sedimentation that ultimately flows into surface waters. Small soil particles washed into streams can clog fish gills and smother spawning grounds and marsh habitat. Suspended small soil particulates can restrict light penetration into water and limit photosynthesis of aquatic biota.

⁷⁸ Including mercury.

Based on the nature of the categorical impacts, significance thresholds can be divided into water quality significance thresholds, groundwater recharge significance thresholds, and hydrology significance thresholds, as follows.

- ***A water quality impact is significant if, relative to existing policy, implementation of the Procedures would result in increased potential for exceeding numeric water quality standards or narrative objectives or violation of the state “anti-degradation” water quality policy (i.e., lead to a reduced capacity of the waterbody to support its designated uses);***
- ***A groundwater impact is significant if, relative to existing policy, implementation of the Procedures would result in depletion of 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;***
- ***A hydrological impact is significant if, relative to existing policy, implementation of the Procedures would result in alteration of the existing drainage patterns, cause significant flooding or erosional problems, or result in large volumes of polluted stormwater discharges;***

Table 8-10 lists the potential categorical impacts and determinations of significance.

Table 8-10. Hydrology and Water Quality Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project violate any water quality standards or waste discharge requirements?</i>	NI
<i>i. Would the project 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?</i>	LTS
<i>ii. Would the project substantially alter the existing drainage pattern of the site or area, resulting in increased sediment erosion and transport?</i>	LTS
<i>iii. Would the project substantially alter the existing drainage pattern of the site or area, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site?</i>	LTS
<i>iv. Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?</i>	NI
<i>v. Would the project substantially degrade water quality?</i>	NI
<i>vi. Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary</i>	NI

<i>or Flood Insurance Rate May or other flood hazard delineation map?</i>	
<i>vii. Would the project place structures within 100-year flood hazard area which would impede or redirect flood flows?</i>	NI
<i>viii. 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, or by inundation by seiche, tsunami, or mudflow?</i>	NI

The State Water Board intends for the Procedures to provide consistent identification of wetlands, and strengthen efforts to avoid, minimize, and mitigate for impacts to wetlands and other waters of the state, through evaluation of an alternatives analysis to identify and implement the LEDPA. This consistency may result in a greater effort to avoid impacts to aquatic resources and reduced discharge of dredged or fill material potentially resulting in the protection and retention of a greater proportion of aquatic resources relative to the existing regulatory framework. Additionally, the Procedures would strengthen compensatory mitigation requirements. Accordingly, by reducing impacts to aquatic resources and strengthening compensatory mitigation requirements, the Procedures would have no significant adverse impact on water quality and would not violate any water quality standards or waste discharge requirements.

The Procedures may result in the increased protection of natural streams and wetlands and is unlikely to deplete groundwater supplies or interfere substantially with groundwater recharge (i.e., result in a net deficit in aquifer volume or a lowering of the local groundwater table level). Some, but not all, types of aquatic resources can be important groundwater recharge areas and the hydrology of individual wetland or streams would need to be evaluated on a permit-specific level. Overall, since the protection of current aquatic resource areas would potentially increase, the Procedures would unlikely deplete or interfere substantially with groundwater recharge, and the State Water Board determined the adverse impact to be less than significant.

The Procedures have the potential to shift projects or activities associated with hazardous materials to upland areas away from wetlands and other waters of the state. Alternative project sites could cause alterations of existing drainage patterns of the alternative sites or affect the rate or amount of surface runoff in a manner that could result in flooding on or off-site. Alternative project sites could also create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. However, the State Water Board does not have information on the location of future projects or the effect of upland project locations on local drainage.

In these cases, selection of the LEDPA, along with other relevant environmental regulations, would ensure the site is selected with the least adverse environmental damage. Accordingly, the State Water Board determined that the effect on the Procedures on altered drainage or runoff would be less than significant. Natural wetlands tend to act as sinks not sources of stormwater and tend to provide

purification services relative to water quality. Natural wetlands can act as effective retention reservoirs for storing flood volumes for more gradual release to downstream areas. Therefore, retention of natural wetlands would not create or contribute runoff waters that would exceed the capacity of stormwater drainage systems. Accordingly, staff determined that this impact would not be significant.

Water quality degradation happens in several forms, but generally is the result of individual finite impacts that do not, alone, constitute water quality standards violations, but which cumulatively lead to a significant reduction in the inherent properties of the waterbody or ability to support designated beneficial uses including reduction in assimilative capacity, reduction in biodiversity, or degraded water quality (e.g., more water treatment needs to produce potable water). The protection and retention of current aquatic resources, at the watershed level, would avoid possible degradation of existing water quality. Overall, the Procedures would have no significant impact on water quality degradation or changes to water uses.

The Procedures would likely deter the placement of housing or structures within a 100-year flood hazard area. Therefore, the Procedures would not have an impact on 100-year flood hazard area. The Procedures would also not expose people or structures to risk of loss, injury or death involving flooding or by inundation by seiche, tsunami, or mudflow. Accordingly, staff determined that these impacts would not be significant.

8.10 Land Use and Planning

The Procedures would be implemented within the existing framework of regulations surrounding land use. Some of the relevant federal, state, and local regulations that pertain to land use in California are:

- ***Coastal Zone Management Act (16 USC §1451-1465);***
- ***California Farmland Protection and Plan Act (Title 440, Part 523);***
- ***California Land Conservation Act (Williamson Act; CA §51220 et seq.);***
- ***Natural Community Conservation Planning Act (Fish & G. Code, §2800 et seq.); and***
- ***Government Code, Title 7, Planning and Land Use (§65000 et seq.).***

In California, the majority of land use planning is done at the local level, since local or regional agencies have primary responsibility for land use control and regulation within their areas of jurisdiction. State planning and zoning law requires all counties and incorporated cities in the state to prepare, adopt, and implement a comprehensive general plan to guide the community's growth and development. Under state planning law, a general plan must contain seven elements: land use, open space, transportation/circulation, housing, safety, noise, and conservation.

A general plan may also include optional elements at the discretion of the local agency, such as an agricultural element or a recreation element. Water resource and use issues are typically addressed in a general plan in terms of natural resource values as well as an essential requirement for land use and development. The general plan is commonly implemented through zoning and other local land use and development ordinances, which must be consistent with the general plan.

In reviewing and making decisions on applications for various land use development projects, the local agency must typically produce findings that the proposed activity (e.g., a conditional use permit or a subdivision of real property) is consistent with its general plan. If the decision is discretionary and the project could have an effect on the physical environment, then the county or city must comply with the procedural and documentation requirements of CEQA (California Department of Conservation, 2007).

Table 8-11 lists the potential categorical impacts and provides staff’s determinations of significance.

Table 8-11. Land Use and Planning Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project physically divide an established community?</i>	NI
<i>i. Would the project conflict with any applicable land use plan, project, 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?</i>	NI
<i>ii. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?</i>	NI

The Procedures would potentially lead to less alteration, filling, or dredging of wetlands and other waters of the state. The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduced discharge of dredged or fill materials potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing practices. As a consequence of the adoption of the Procedures more of the natural landscape associated with aquatic resources would be undisturbed and as such, there would be less potential for impact to existing land use planning regulations.

The Procedures could shift development to upland areas away from aquatic resources. However, the State Water Board does not have information on the location of future projects or the potential for land

use planning conflicts. The Procedures and clarification of wetland status should support – rather than conflict with – any applicable HCP or NCCP. The Procedures encourage the watershed approach and incentivize compliance with watershed plans approved by the Water Boards, which would potentially include HCPs and NCCPs. In many cases, project proponents would consider potential impacts to land use planning under the CEQA process. Further, the clarification of wetland status should improve planning accuracy and resolve planning issues. In addition, given the relatively small number of projects that would be regulated significantly differently under the Procedures, compared to the existing regulatory framework, the State Water Board determined that the effect of the Procedures on land use planning would be less than significant.

As the Procedures would likely result in the increased preservation and maintenance of existing waters of the state, including wetlands, there should be decreased conflict with land use plans, projects, or regulations, especially since watershed plans, including HCPs and NCCPs, and local general plans should have been designed to avoid or mitigate environmental impacts. As a result, the Procedures would have no impact on HCPs or NCCPs.

8.11 Mineral Resources

California ranked seventh in the nation in the value of non-fuel mineral production in 2011, accounting for about 3.9 percent of the nation’s total (Clinkenbeard and Smith, 2011). The state produced more than two dozen different non-fuel mineral commodities, such as diatomite, natural sodium sulfate, boron compounds, cement, gold, silver, clay, feldspar, fuller’s earth, gemstones, gypsum, iron ore, kaolin clay, lime, magnesium compounds, pumice, salt, soda ash, and zeolites (Clinkenbeard and Smith, 2011).

Table 8-12 lists the potential categorical impacts and determinations of significance.

Table 8-12. Mineral Resources Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project result in the loss of availability of a known mineral resource that would be of future value to the region and residents of the state?</i>	LTS
<i>i. 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?</i>	LTS

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduced discharge of dredged or fill materials potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters

of the state, relative to existing practice. The Procedures would potentially lead to less alteration, filling, or dredging of wetlands and other waters of the state. As a consequence of the adoption of the Procedures more of the aquatic resource areas would be undisturbed compared to the existing regulatory practices.

However, by avoiding impacts to aquatic resources, the Procedures could shift development to upland areas away from wetlands and other waters of the state. It is possible that this effect could restrict access to a known mineral resource that would be of future value to the region and residents of the state, or a locally-important mineral resource recovery site delineated on a local general plan or other land use plan. However, the State Water Board does not have information on the location of future mining projects or their potential environmental impacts.

In these cases, selection of the LEDPA, along with other relevant environmental regulations, would avoid selection of sites with adverse alternatives. In addition, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework, the State Water Board determined that the effect on the Procedures on mineral resources would be less than significant.

8.12 Noise

The CEQA Guidelines require evaluation of the significance of environmental noise impacts attributable to a project. The purpose of the noise assessment is to identify, describe, and evaluate sources of noise and potential land use conflicts related to environmental noise, beginning with a characterization of the baseline noise conditions and surrounding existing sensitive land uses. A noise assessment provides evaluation of potential changes in noise levels or noise exposure circumstances caused by the proposed project. A significant noise impact would be identified if a project results in generation or exposure of people to noise levels in excess of standards, excessive ground-borne vibration or noise, or substantial temporary, periodic or permanent increases in ambient noise levels. Additional impacts are involved if a project would create excessive noise levels within an airport land use plan or in the vicinity of a public airport or private airstrip.

Table 8-13 lists the potential categorical impacts and determinations of significance.

Table 8-13. Noise Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project result in 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?</i>	LTS
<i>i. Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</i>	LTS

<p><i>ii. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</i></p>	<p>LTS</p>
<p><i>iii. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</i></p>	<p>LTS</p>
<p><i>iv. 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?</i></p>	<p>LTS</p>
<p><i>v. 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?</i></p>	<p>LTS</p>

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduced discharge of dredged or fill materials potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing policy. The Procedures would potentially lead to less alteration, filling, or dredging of wetlands and other waters of the state. As a consequence of the adoption of the Procedures more of the aquatic resource areas would be undisturbed and as such, there would be less potential for generation of noise from future development in these areas.

The Procedures could shift development to upland areas away from wetlands and other waters of the state or could cause them to relocate to a location within an airport land use plan or within two miles of a public airport or public use airport. However, the State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential noise impacts during the CEQA process for individual projects that would be regulated under the Procedures.

Further, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework, the State Water Board determined that the effect of the Procedures on noise impacts would be less than significant.

8.13 Population and Housing

CEQA Guidelines indicate that SEDs should address social and economic effects only to the extent that these effects create adverse impacts on the physical environment.⁷⁹ The Procedures could result in a shift in housing projects to upland areas where they would not impact aquatic resources. There could be more project activity and thus more selection of LEDPA sites in areas of the state with higher population growth. The California Department of Finance projects some counties to have greater than one million people by 2060, while other counties may increase by greater than 100% between 2010 and 2060 (Table 8-14; Figure 21). The California Department of Finance projects that the population will exceed 50 million in 2049, and that about 62%, or about 32 million people, will be in eight southern California counties in 2060 (Table 8-14; Figure 21).

The California Department of Finance projections indicate that the highest growth rates will occur in the Central Valley (specifically in the greater Sacramento region), portions of the Northern Sacramento Valley, and the San Joaquin Valley, as well as in the Southern California and the southern border. The projections also indicate that much of the state’s population in 2060 will be in Southern California. Due to high growth and large numbers of people, the potential environmental impacts associated with identifying alternative project sites could be the greatest in these areas.

Projection	Counties
2060 population > 62% of state population	Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Ventura
2060 population > 1 million people	Alameda, Contra Costa, Fresno, Sacramento, San Joaquin, Santa Clara
2060 population > 2 million people	Kern, Orange, Los Angeles, Riverside, Sacramento, Santa Clara, San Bernardino, San Diego
2010 – 2016 growth > 50%	Butte, Colusa, Contra Costa, El Dorado, Fresno, Kings, Lake, Nevada, Placer, San Benito, San Bernardino, Riverside, Sacramento, Solano, Stanislaus, Tehama, Tulare, Yolo
2010 – 2060 growth > 100%	Imperial, Kern, Madera, Merced, San Joaquin, Sutter, Yuba

⁷⁹ Note that residential planning is linked to land use planning, which is evaluated separately in section 4.3.3.

⁸⁰ Source: California Department of Finance (2013)

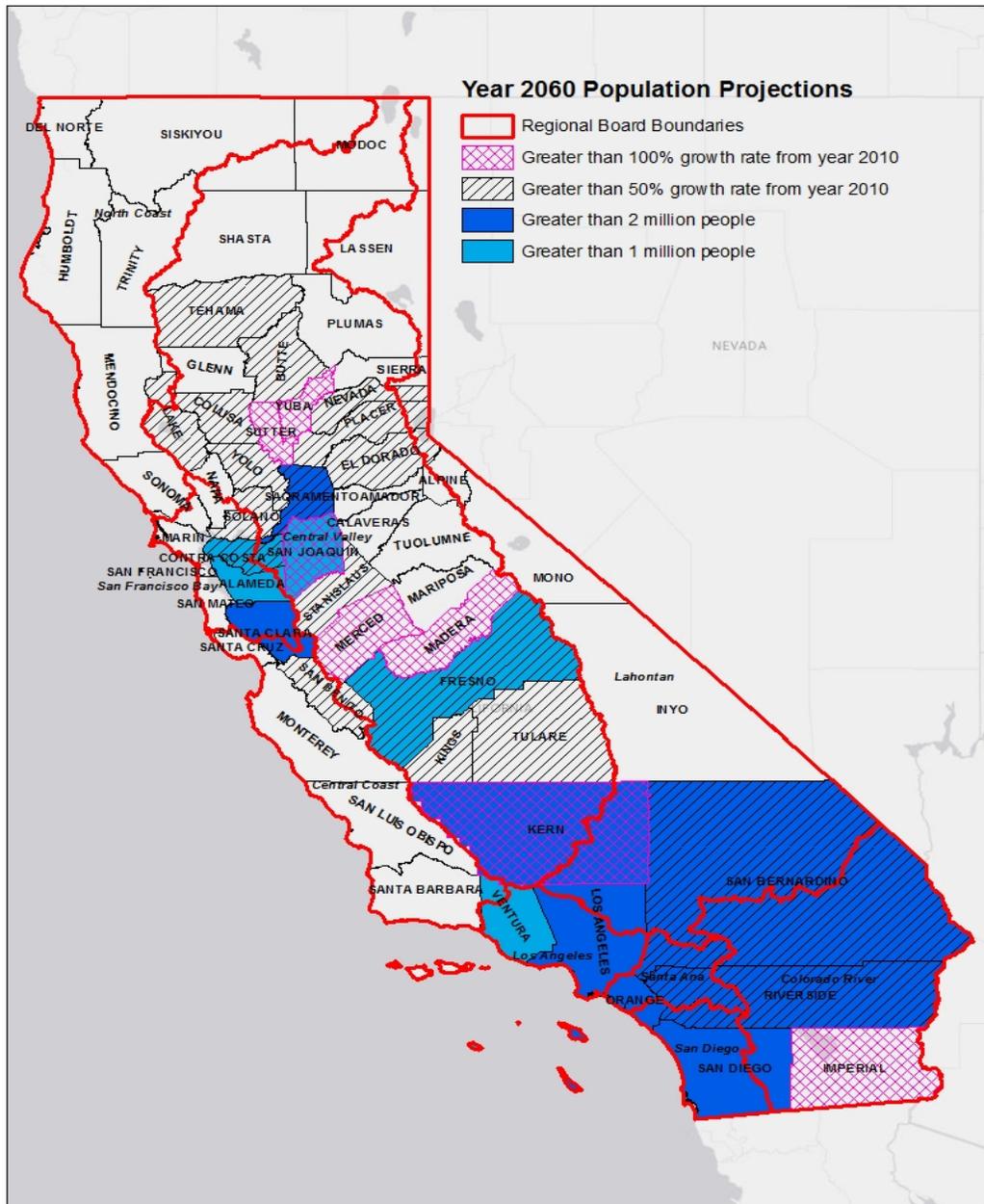


Figure 21: Year 2060 Population Projections (California Department of Finance, 2013)

However, housing would likely occur within the same general area of the original proposed project location. The Procedures would not induce substantial population growth in an area, but rather shift the location of future projects that would have occurred regardless of the Procedures to avoid and minimize impacts to aquatic resources. The Procedures would also not create a demand for additional

housing or displace any existing housing units or persons. Therefore, the Procedures would have no impact on population growth or housing demand.

Table 8-15 lists the potential categorical impacts and determinations of significance.

Table 8-15. Population and Housing Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project 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)?</i>	NI
<i>i. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</i>	NI
<i>ii. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</i>	NI

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduced discharge of dredged or fill materials potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing policy. The Procedures would potentially lead to less alteration, filling, or dredging of wetlands and other waters of the state. As a consequence of the adoption of the Procedures, more of the aquatic resource areas would be undisturbed, but this would not affect population growth and housing other than the potential shift of the location of these impacts as mentioned above.

The Procedures could shift development to upland areas away from aquatic resource areas. However, the State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential impacts due to population and housing during the CEQA process.

Further, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory. Practices. Accordingly, the State Water Board determined that the effect of the Procedures on population and growth would not have an impact.

8.14 Public Health and Vector Control

Although potential biological vectors (i.e., animal species capable of acting as reservoirs and transmitting agents of human diseases) include ticks, fleas, and small mammals, the primary public health issue associated with the Procedures is mosquito vectors. The Procedures affect jurisdictional protection of waters of the state, including wetlands. Intact wetlands are often a preferred breeding habitat for mosquito vector species, and therefore policies that affect the quantity, location, and type of wetlands in the state will potentially have implications for mosquito populations and potential human exposure risk to mosquito-borne diseases.

Local vector control agencies survey breeding habitat and observe changes in population size, disease risk, and public nuisance levels to assess local risks. Some of the major diseases of concern in California include West Nile virus, St. Louis encephalitis, western equine encephalomyelitis, California encephalitis, and malaria (Kwasny et al., 2004). Mosquito abatement typically relies on an integrated pest management approach, combining pesticides, biological controls such as mosquitofish (*Gambusia* spp.), and habitat reductions through activities such as draining wetlands and others. In more remote, sparsely populated areas, authorities may elect not to control mosquitos directly, relying only on signs and barriers to prevent people from coming into contact with breeding areas.

Vector control agencies' actions are governed by federal laws, including the CWA, ESA, and Federal Fungicide and Rodenticide Act, as well as state law under the Health and Safety Code (§2000 et seq., §106925, §16100-116250) and other state regulations governing pesticides. Pesticide applications may adversely affect water quality, although application of pesticides in strict accordance with state and federal regulations should minimize these impacts. Discharges of pesticides and pesticide residues are required to meet criteria under the California Toxics Rule as well as water quality criteria designed by the Water Boards to protect beneficial uses of waters. The most protective appropriate criteria are applied in order to protect all designated uses of the receiving water.

Recently, the Sixth Circuit Court ruled that the application of pesticides at, near, or over waters of the U. S. that results in discharges of pollutants requires coverage under a NPDES permit. In response to the Sixth Circuit Court's decisions and previous decisions by other courts on pesticide regulation, the State Water Board has adopted four pesticide permits for various applications of pesticides at, near, or over waters of the United States that enforce water quality standards. All pesticides used for vector control must be registered for use in California, must be applied by a certified technician or someone working under the direct supervision of a certified technician, and must be applied in accordance with the pesticide product's registered label.

All species of mosquito require standing water for breeding and larval development. Female mosquitos lay batches of eggs, which hatch in the water, undergoing four aquatic larval stages and an aquatic pupal stage before developing into aerial adults (Kwasny et al., 2004). Species that are most of concern, as vectors prefer stagnant water, can be found in many types of wetlands. Any waters that remain undisturbed for more than three to five days are considered potential mosquito breeding habitats

(California Bay-Delta Authority (CALFED), 2000). Although mosquitos breed year-round in some parts of California, peak breeding occurs during the warmer months from mid-spring and mid-autumn.

Individual natural wetlands may or may not contain mosquito breeding habitat, requiring identification of such habitats on a site-specific basis. In some cases, natural wetland habitat could require mosquito abatement activities (including pesticide applications) in some areas in order to ensure that human populations are not at risk from vector-borne diseases. However, a large number of mosquito mitigation measures are currently utilized by local mosquito control authorities. Local vector control agencies have broad authority to manage and abate mosquito breeding habitats to ensure they do not become a nuisance. For example, potential mitigation measures to reduce or control mosquito breeding habitat include (California Division of Health Services, 2005):

- ***Site maintenance and frequent site inspections;***
- ***Netting over target areas;***
- ***Constructing and maintaining appropriate drainage slopes;***
- ***Encouraging mosquitofish (*Gambusia spp.*) and other mosquito predators, including invertebrates (e.g. water boatmen and dragonfly larvae), birds (e.g., swallows), and bats, among others;***
- ***Vegetation management to ensure adequate predator access to mosquitos;***
- ***Open water marsh management, which connects marshes to a canal or pond using a system of ditches to enable water flow and allow aquatic predators into marshes; and***
- ***Application of pesticides (e.g., methoprene) or biological control agents (e.g., the bacterium *Bacillus thuringiensis*).***

A public health and vector control impact is significant if, relative to existing policy, implementation of the Project would result in:

- ***An increase in the potential exposure of the public to disease vectors; or***
- ***An increase in potential mosquito/vector breeding habitat.***

Table 8-16 lists the potential categorical impacts and determinations of significance.

Table 8-16. Public Health and Vector Control Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project increase the potential exposure of the public to disease vectors (i.e., mosquitos, ticks, and rats)?</i>	LTS
<i>i. Would the project increase potential mosquito/vector breeding habitat (i.e., areas of prolonged standing/ponded water like wetlands or stormwater treatment control BMPs)?</i>	LTS

The Procedures provide consistent identification of wetlands and strengthens efforts to avoid, minimize, and mitigate for impacts to wetlands, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid wetland impacts and reduced discharge of dredged or fill material potentially resulting in the protection and retention of a greater proportion of natural wetlands relative to the existing regulatory framework.

Risk of human exposure to disease through vectors is a complex function affected by the quantity of mosquito breeding habitat, concentrations of mosquito populations, presence of infectious disease in the mosquito population, seasonal climactic factors, and the proximity of mosquito breeding sites to human populations. The Procedures would not change current wetland areas or locations. Since the area of mosquito breeding habitat and its location relative to human populations would not be affected, there should be not any increase in the mosquito population or risk to humans. However, the State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential impacts due to public health during the CEQA process. The Procedures have the potential to shift projects or activities to upland areas away from wetlands. Selection of the LEDPA, along with other relevant environmental regulations, would avoid selection of sites with increased human risks. In addition, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework. Therefore, the State Water Board determined that the effect on the Procedures on public heath vectors would be less than significant.

8.15 Public Services

The Public Services section assesses the impact of a project on law enforcement, fire protection, schools, and other public services. Staff assessed whether a project would result in substantial adverse physical impacts or alteration of governmental facilities needed to maintain acceptable service ratios, response times, education metrics, or other performance objectives for any of the public services. Analysis of

impacts on relative police and fire protection could consider facilities and equipment, fire flows, emergency response, and emergency access.⁸¹

A project would have an effect on public services if it would result in substantial adverse physical impacts associated with the creation of new or physically altered governmental facilities, or a need for new or physically altered governmental facilities in order to maintain acceptable service ratios, response times, or other performance objectives. Altered or increased school services would likely be a secondary effect of housing and population which has been found above to be of no significance.

Table 8-17 lists the potential categorical impacts and determinations of significance.

Table 8-17. Public Services Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>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:</i>	NI
<i>i. Fire protection?</i>	NI
<i>ii. Police protection?</i>	NI
<i>iii. Schools?</i>	NI
<i>iv. Parks?</i>	NI
<i>v. Other public facilities?</i>	NI

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduced discharge of dredged or fill materials potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing policy.

⁸¹ Wildland fire hazards are considered separately under Hazards and Hazardous Materials in section 4.3.3.

More aquatic resource areas would be undisturbed and as such, there would be less potential for impact to public services related to aquatic resources.

The Procedures would not impose a substantially greater demand for public services beyond that which already exists. The Procedures would not result in a need for altered or new facilities to provide law enforcement, fire protection services, or required additional educational services. Review of the potential categorical impacts listed under this category indicates there would be no significant impact.

8.16 Recreation

Because of the importance of recreational resources to quality of life, CEQA requires consideration of environmental effects on parks, recreation, and open space, including any environmental consequences that would likely result from a project. Of particular concern is whether the project would result in either (1) increased use of and/or possible deterioration of existing neighborhood or regional parks or (2) lead to conditions that might lead to a need for construction of new parks or expansion of existing parkland.

Table 8-18 lists the potential categorical impacts and determinations of significance.

Table 8-18. Recreation Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
<i>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?</i>	LTS
<i>i. Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?</i>	NI

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduced discharge of dredged or fill materials potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing policy.

As a consequence of the adoption of the Procedures more of the aquatic resource areas would be undisturbed and as such, there would be less potential for impact to recreational areas associated with aquatic resources. In general, recreational resources should benefit from protection of wetlands, steams, wildlife habitat, open space, improved water quality, increased flood protection, and increased fish and waterfowl populations.

The Procedures could shift development to upland areas away from wetlands. However, the State Water Board does not have information on the location of future projects or possible related change to the use of existing neighborhood and regional parks or other recreational facilities. In many cases, project proponents will consider potential impacts to recreation during the CEQA process.

Given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework, the State Water Board determined that the effect of the Procedures on recreation would be either be less than significant or have no impact.

8.17 Transportation/Traffic

CEQA review requires consideration of the potential impact of a project on existing and projected transportation and circulation conditions. This consideration includes:

- ***Direct traffic impacts, which are those projected to occur at the time a proposed development becomes operational, including other developments not presently operational but which are anticipated to be operational at that time (near term); and***
- ***Cumulative traffic impacts, which are those projected to occur at some point after a proposed development becomes operational, such as during subsequent phases of a project and when additional proposed developments in the area become operational (short-term cumulative) or when the affected community plan area reaches full planned build out (long-term cumulative).***

Table 8-19 lists the potential categorical impacts and provides staff’s determinations of significance.

Table 8-19. Transportation/Traffic Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
<i>a) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</i>	LTS
<i>i. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?</i>	LTS

<p>ii. <i>Would the project 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?</i></p>	<p>LTS</p>
<p>iii. <i>Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</i></p>	<p>LTS</p>
<p>iv. <i>Would the project result in inadequate emergency access?</i></p>	<p>LTS</p>
<p>v. <i>Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</i></p>	<p>LTS</p>

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduce discharge of dredged or fill materials, potentially resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing policy.

The Procedures could shift development to upland areas away from aquatic resources. The Procedures, either through the retention of aquatic resources or the movement of projects to upland locations, could potentially affect the design of roads or conflict with plans that establish measures of effectiveness for the performance of traffic circulation systems, traffic congestion management programs, or plans that support alternative transportation. However, the State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential impacts to transportation during the CEQA process. In addition, given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework, the State Water Board determined that the effect on the Procedures on transportation and traffic would be less than significant.

8.18 Utilities and Service Systems

CEQA requires assessment of the impact of a project on general utilities such as water supply and wastewater, solid waste disposal, electricity, natural gas, solar power, telecommunications, and other relevant service systems such as stormwater management. A project would have an effect on utility systems if it would affect potable water, wastewater treatment, stormwater, or solid waste facilities either directly (via new or expanded facilities) or indirectly (via a new generation source, and/or demand that would exceed the capacities of existing facilities). Each utility provider generally establishes its own threshold criteria for utility capacity and service expansion. Utility providers are typically a combination of municipal, quasi-public agencies, and privately-owned companies and corporations.

The Procedures would not result in a greater number of residential projects requiring public service in the state, but rather could result in locating projects to alternative sites. Implementation of the Procedures would not change wastewater treatment requirements, require new or expansion of wastewater treatment facilities, require new or expansion of stormwater drainage facilities or affect local solid waste disposal services. The Project would not cause a net exceedance of wastewater treatment facilities, stormwater treatment, or landfills or create a net increase of water use. The Procedures would not affect how projects comply with federal, state, and local statutes and regulations related to solid waste.

Table 8-20 lists the potential categorical impacts and determinations of significance.

Table 8-20. Utilities and Service Systems Categorical Impacts and Significance Determinations	
Impact Questions	Significance Determination
a) <i>Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</i>	LTS
<i>i. Would the project 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?</i>	LTS
<i>ii. Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</i>	LTS
<i>iii. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</i>	LTS
<i>iv. 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?</i>	LTS
<i>v. Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?</i>	NI
<i>vi. Would the project comply with federal, state, and local statutes and regulations related to solid waste?</i>	NI

The State Water Board intends for the Procedures to provide consistent identification of wetlands and strengthen efforts to avoid and minimize impacts to wetlands, and other waters of the state, through evaluation of alternatives to identify and implement the LEDPA. This consistency may result in a greater effort to avoid aquatic resource impacts and reduced discharge of dredged or fill materials potentially

resulting in the protection and retention of a greater proportion of natural wetlands, and other waters of the state, relative to existing policy.

As a consequence of the adoption of the Procedures more of the aquatic resource areas would be undisturbed and thus would not affect utilities and service systems in those areas, other than to shift the location of the potential effects.

The Procedures could shift development of public services to upland areas away from wetlands and other waters of the state. However, the State Water Board does not have information on the location of future projects. In many cases, project proponents will consider potential impacts to public services during the CEQA process.

Given the relatively small number of projects that would be regulated significantly differently under the Procedures compared to the existing regulatory framework, the State Water Board determined that the effect of the Procedures on public service would be either be less than significant or have no impact.