CALIFORNIA ENVIRONMENTAL QUALITY ACT

DRAFT INITIAL STUDY/CHECKLIST

And

NEGATIVE DECLARATION

Project Title: General Waste Discharge Requirements for Small Industrial Wastewater Treatment Systems

Applicant: Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Blvd.
South Lake Tahoe CA 96150

Project Summary: The Lahontan Regional Water Quality Control Board (Lahontan Water Board) is preparing General Waste Discharge Requirements for Small Industrial Wastewater Treatment Systems (Small Industrial Order) that will be applicable to the Lahontan Region.

The proposed permit for the Lahontan Region would regulate discharges from industrial wastewater treatment systems with a monthly daily average of less than or equal to 100,000 gallons per day industrial wastewater.

Wastewater treatment and disposal methods may vary by site and the available technologies are expected to evolve with time. Treatment and disposal may include, but not be limited to, aerobic treatment systems, sand/media filters, constructed wetlands, lined surface units, activated sludge, membrane biological reactors, chemical flocculation, or disinfection systems. Each facility will be constructed, operated, and maintained in accordance with engineer-approved plans submitted with each specific treatment facility.

The Small Industrial Order will be an alternative to individual waste discharge requirements issued by the Lahontan Water Board to streamline permitting of small industrial wastewater treatment systems that meet the specified eligibility criteria.

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Acronyms and Abbreviations	
AB	Assembly Bill
Basin Plan	Water Quality Control Plan
BOD	Biochemical oxygen demand
BPTC	Best Practicable Treatment or Control
CARB	California Air Resources Control Board
CDPH	California Department of Public Health
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CH4	Methane
Clean Water Act	federal Water Pollution Control Act of 1972
CO2	Carbon dioxide
CWC	California Water Code
DWR	Department of Water Resources
EIR	Environmental Impact Report
ESA	Environmental Species Act
General Order	General Waste Discharge Requirements
Gpd	gallons per day
GHG	Greenhouse gas
H2S	Hydrogen sulfide
Lahontan Water Board	Lahontan Regional Water Quality Control Board
Small Industrial Order	General Waste Discharge Requirements for Small Industrial Wastewater Treatment Systems for the Lahontan Region
LAMP	Local Area Management Plan
LLA	Land application area
MBR	Membrane biological reactor (membrane bioreactor)
OPR	Office of Planning and Research
Porter-Cologne Act	Porter-Cologne Water Quality Control Act of 1969
OWTS Policy	Water Quality Control Policy for Siting, Design, and Operation and Maintenance of Onsite Wastewater Treatment Systems
SB	State Bill
Small Domestic Systems	Small Domestic Wastewater Treatment Systems
Small Domestic Systems Order	WQO-2014-0153-DWQ General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems
§	Section
TDS	Total dissolved solids
WDR	Waste Discharge Requirement
USFW	United States Fish and Wildlife Service
USGS	U.S. Geological Survey
WDRs	Waste Discharge Requirements
WQO	Water Quality Order

1 Introduction

1.1 Overview

The Lahontan Regional Water Quality Control Board (Lahontan Water Board) is preparing a General Waste Discharge Requirements Order (General Order) for waste discharge to land. This Initial Study was prepared to address environmental factors related to such discharges. Small industrial wastewater treatment systems, with a monthly average flow rate of 100,000 or less gallons per day (gpd) that discharge to land (small industrial systems) will be eligible for coverage under the Small Industrial Order. Industrial wastewater refers to wastewater generated by industrial sources and commercial sources and kept separate from domestic wastewater.

WQO-2014-0153-DWQ General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems (Small Domestic Systems Order), regulates the discharges from small domestic wastewater treatment and disposal systems. The Small Domestic Systems Order does not provide coverage for industrial wastewater discharge.

Waste discharges to land are regulated by the Regional Water Quality Control Boards (Regional Water Boards) which issue waste discharge requirements (WDRs). WDRs require the discharge to conform to the Porter-Cologne Water Quality Control Act (Porter-Cologne Act), the Regional Water Board's Water Quality Control Plan (Basin Plan), and applicable policies of the State Water Board and Regional Water Board. When discharges contain similar waste constituents and are treated using similar methods, general orders can be adopted to more efficiently and consistently address applications for WDRs.

This Initial Study is prepared to address California Environmental Quality Act (CEQA) requirements for the discretionary action of adopting a general order and the resulting potential foreseeable effects on the environment that wastewater treatment and disposal facilities may have. The Lahontan Water Board has the discretion whether to use the Small Industrial Order or require individual waste discharge requirements for regulatory coverage on a site-by-site basis. Furthermore, local land use authorities have discretion over approval, siting, and design of new and expanding facilities. Therefore, the Lahontan Water Board cannot speculate on how many facilities may be enrolled in, constructed, or expanded as a result of this Small Industrial Order, and is not able to determine the location or design of any facilities that may be constructed. Pursuant to California Code of Regulations, title 14, section 15064 (d), a change which is speculative or unlikely to occur is not reasonably foreseeable and should not be considered in the environmental analysis. As such, this analysis is limited to the general effects associated with the construction and operation of non-domestic wastewater facilities.

This Initial Study was prepared based upon typical small industrial systems. Since it is speculative to estimate the type, size, and location of any expanded or new facility, this

evaluation makes no attempt to quantify the impacts from the construction and operation of expanded or new facilities. The Regional Water Board also does not specify the methods in which dischargers can choose to comply with the Small Industrial Order. Thus, the level of analysis is of a general nature and is commensurate with that level of detail. At the time of approval of a specific project, a project-level environmental analysis may be performed by the local approval agency.

For existing facilities, the adoption of the Small Industrial Order is not expected to result in changes to existing baseline conditions except to the extent a requirement leads to updates or improvements to existing systems in order to comply with effluent limitations. The type and location of any specific change to an existing system to comply with an effluent limitation is speculative. Whether a discharger chooses to implement an update is dependent on the nature and type of constituents detected in the facility's effluent as well as site specific conditions and the characteristics of the existing facility. Any existing facilities that would be enrolled under this permit would have less than or equal to the same foreseeable effects on the environment as a new or expanding wastewater facility and thus this analysis focuses on the impacts associated with new or expanded systems.

This Initial Study has been prepared in accordance with Public Resources Code section 21000 et seq. and California Code of Regulations, title 14, section 15000 et seq. An initial study of a project is conducted by the lead agency pursuant to CEQA in order to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines, section 15064(a), an environmental impact report (EIR) must be prepared if there is substantial evidence (including the results of an initial study) that a project may have a significant effect on the environment. A negative declaration or mitigated negative declaration may be prepared if the lead agency determines that the project would have no potentially significant impacts or that revisions made to the project mitigate the potentially significant impacts to a less than significant level.

1.2 Lead Agency

Under CEQA, the lead agency is the public agency with primary responsibility over the proposed project. The Lahontan Water Board is the lead agency under CEQA for this project because of its regulatory authority over water quality in California and its lead role in developing the Small Industrial Order.

1.3 Purpose and Organization of this Document

The purpose of this Initial Study is to evaluate the reasonably foreseeable potential environmental impacts that may occur as a result of adopting the Small Industrial Order. The objective of the Small Industrial Order is to streamline the regulatory process for industrial wastewater discharges to land.

The document is organized as follows:

- Chapter 1, "Introduction," describes the purpose and organization of this document.

- Chapter 2, “Project Setting,” provides background information about the regulatory setting, environmental setting, and existing facilities.
- Chapter 3, “Project Description,” describes the proposed project.
- Chapter 4, “Environmental Checklist,” uses the environmental factors provided in the CEQA Guidelines’ Environmental Checklist to evaluate a range of potential impacts.

As a discretionary action, issuance of the Small Industrial Order fits the CEQA definition of a project (Pub. Resources Code, § 21065 (c)). The Lahontan Water Board, as the project’s lead agency, has consulted with state responsible and trustee agencies before deciding whether a project’s impacts are significant (Pub. Resources Code, § 21080.3; Cal. Code Regs., tit. 14, § 15063) and prior to determining what type of CEQA document to prepare. The list of agencies consulted was developed with assistance from the California Office of Planning and Research. A draft Initial Study was transmitted BY January 1, 2020 to all identified agencies.

1.4 Public Review and Comment

This Initial Study will be available for a 30-day public review and comment period as described in the Notice. Written comments must be received during the comment period to be considered prior to the meeting. If you have any questions about document availability or the public review and comment process, please contact Carly Nilson at (530) 542-5445 or *carly.nilson@waterboards.ca.gov.*

2 Project Setting

2.1 Regulatory Setting

A broad network of federal and state laws provides the State Water Board, Regional Water Boards, CDPH, and local environmental and public health agencies the authority to protect beneficial uses of water, including the protection of drinking water and public health. That authority includes regulation of small industrial system discharges and other sources of contaminants that have the potential to cause adverse water quality effects. These laws include, but are not limited to, the federal Water Pollution Control Act of 1972 (Clean Water Act), Safe Drinking Water Act of 1974, subsequent amendments to these laws, and California’s Porter-Cologne Water Quality Control Act of 1969 (Porter-Cologne Act), subsequent amendments to the Porter-Cologne Act, and related state policies.

2.1.1 California Water Code

Some sections of the California Water Code (Water Code) pertaining to WDRS are summarized below:

- Water Code section 13260 requires each of the following persons to file with the appropriate Regional Water Board a report of the discharge, containing the information that may be required by the Regional Water Board:

1) A person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system.
2) A person who is a citizen, domiciliary, or political agency or entity of this state discharging waste, or proposing to discharge waste, outside the boundaries of the state in a manner that could affect the quality of the waters of the state within any region.
3) A person operating, or proposing to construct, an injection well.

- Water Code section 13263 authorizes the Regional Water Board to prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge to implement any relevant water quality control plans (Basin Plans) and take into consideration the beneficial uses to be protected and nuisance to be prevented. Water Code section 13263(i) allows general WDRs for a category of discharges if certain criteria are met.

2.1.2 Lahontan Regional Water Quality Control Board

California has nine Regional Water Boards that work independently of each other but in cooperation with the environmental and public health agencies of the counties, cities, and, in some cases, special districts that have been created to help regulate discharges from small industrial systems.

The Lahontan Regional Water Quality Control Board (Lahontan Water Board) extends from the Oregon border to the northern Mojave Desert and includes all of California east of the Sierra Nevada crest. There are two Lahontan Water Board offices, at South Lake Tahoe and Victorville. Figure 1 contains an overlay of the Lahontan Water Board

boundaries (Lahontan Region) and office locations overtop a map of California.

Figure 1 Lahontan Regional Water Quality Control Board Boundary and Office Locations

2.2 Bioregional Environmental Setting

California is divided geographically into bioregions, classified by relatively large areas of land or water, which contain characteristic, geographically distinct assemblages of natural communities and species. The biodiversity of flora, fauna, and ecosystems that characterize a bioregion tend to be distinct from that of other bioregions.

California contains a wide variety of bioregions, from desert environments below sea level, to coastal areas, to alpine areas of 14,000 feet or more in elevation. The diversity of geography colliding with temperature and moisture leads to a significant diversity of biological resources. California has the highest total number of species and the highest

number of endemic species within its borders than any other state. California also has the highest number of rare species (species typically listed under the federal Endangered Species Act [ESA] or the California ESA), and about one-third of those species are at risk, meaning these species have the potential for local or global extinction.

The Lahontan Region of California is divided into 3 bioregions: Modoc, Sierra, and Mojave Desert (Figure 2).

Figure 2 California Bioregions

2.2.1 Modoc Bioregion

This bioregion is also referred to as the Modoc Plateau and the Southern Cascade region. The Modoc Bioregion extends across California's northeast corner from Oregon to Nevada, and south to the southern border of Lassen County. The physical geography of the region includes flats, basins, valleys, lava flows, and mountains. High desert and forests are the dominant vegetation communities. Several major lakes (Goose, Eagle, and Tule) and Mount Lassen (10,450 feet in elevation) are dominant physical features. The bioregion shares many similarities with the Great Basin Bioregion that forms much of its eastern boundary. The area's large lakes provide critical habitat for migratory birds (United States Geological Survey [USGS] 2003).

Counties within this bioregion include all or portions of Plumas, Siskiyou, Butte, Tehama, Shasta, Lassen, and Modoc, which support relatively sparse population bases including the municipalities of Susanville and Alturas. This bioregion is comprised of the northern quarter of the Lahontan Hydrologic Region.

2.2.2 Sierra Bioregion

The Sierra Bioregion is named for the Sierra Nevada mountain range that is approximately 380 miles long and extends from the Feather River in the north to Tejon Pass in the Tehachapi Mountains to the south. The bioregion extends along California's eastern boundary and is largely contiguous with Nevada. It is bounded on the west by the Sacramento Valley and San Joaquin Valley Bioregions. Included in the region are the headwaters of 24 river basins extending to the foothills on the west side and the base of the Sierra Nevada escarpment on the east side (USGS 2003). These watersheds generate much of California's water supply provided by runoff from the Sierra snowpack.

Eighteen counties, or their eastern portions, make up the Sierra Bioregion: Alpine, Amador, Butte, Calaveras, El Dorado, Fresno, Inyo, Kern, Madera, Mariposa, Mono, Nevada, Placer, Plumas, Sierra, Tulare, Tuolumne, and Yuba. The larger cities include Truckee, Placerville, Quincy, Auburn, South Lake Tahoe, and Bishop (Forests Forever 2018). This bioregion encompasses portions of the Lahontan, Central Valley, and Mojave Hydrologic Regions.

2.2.3 Mojave Desert Bioregion

The Mojave Desert Bioregion is in southern California, southern Nevada, northeastern Arizona, and southwestern Utah. In California, the bioregion comprises the southeastern portion of the state, roughly east of the Sierra bioregion to the Transverse Ranges in the west, where this region abuts the Colorado Desert near Twentynine Palms. The geography is defined by widely separated mountain ranges and broad desert plains, and ranges in elevation from 280 feet below sea level in Death Valley National Park to over 11,000 feet on Telescope Peak. Much of the region is at elevations between 2,000 and 3,000 feet.

Seven counties make up the Mojave Bioregion: nearly all of San Bernardino, most of Inyo, the southeastern tips of Mono and Tulare, the eastern end of Kern, the

northeastern desert area of Los Angeles, and a piece of northern-central Riverside County. The largest cities are Palmdale, Victorville, Ridgecrest, and Barstow (Forests Forever 2018). The Mojave Desert Bioregion is within the southern portion of the Lahontan Hydrologic Region.

2.3 Hydrology[1] Environmental Setting

Most of California is within one hydrological region as defined by the United States Geological Survey (USGS), but that region is further divided into 153 hydrological cataloging units (moderate-sized watersheds). Since the ultimate determinants of the availability of surface and groundwater resource within the individual Regional Water Boards is the climatic pattern, this section provides a brief overview of the key hydrological elements for California.

2.3.1 Precipitation

There is relatively abundant precipitation in the state, but most of the precipitation is concentrated in areas remote from most large urban centers and major agricultural areas. Much of the climatic variation in the state results from the patterns of global weather systems, oceanic influences, and the location and orientation of the mountains. As shown in Figure 3, northern California is much wetter than southern California, with more than 70 percent of the average annual precipitation and runoff occurring in the northern part of the state. On average, about 75 percent of the annual precipitation in the state falls between November and March; with about 50 percent occurring between December and February. However, amounts of precipitation vary greatly from year to year, which can often make the services of surface water supplies undependable. The extreme northern part of California has slightly wetter summers than the rest of the state.

[1] General hydrology descriptions were adapted from: Planert, M. and J.S. Williams. 1995. Groundwater Atlas of the United States: California, Nevada. HA 730-B. United States Geological Survey. USGS webpage: < https://pubs.usgs.gov/ha/ha730/ch_b/ >; Cal Water. 1999. California Interagency Watershed Map of 1999.

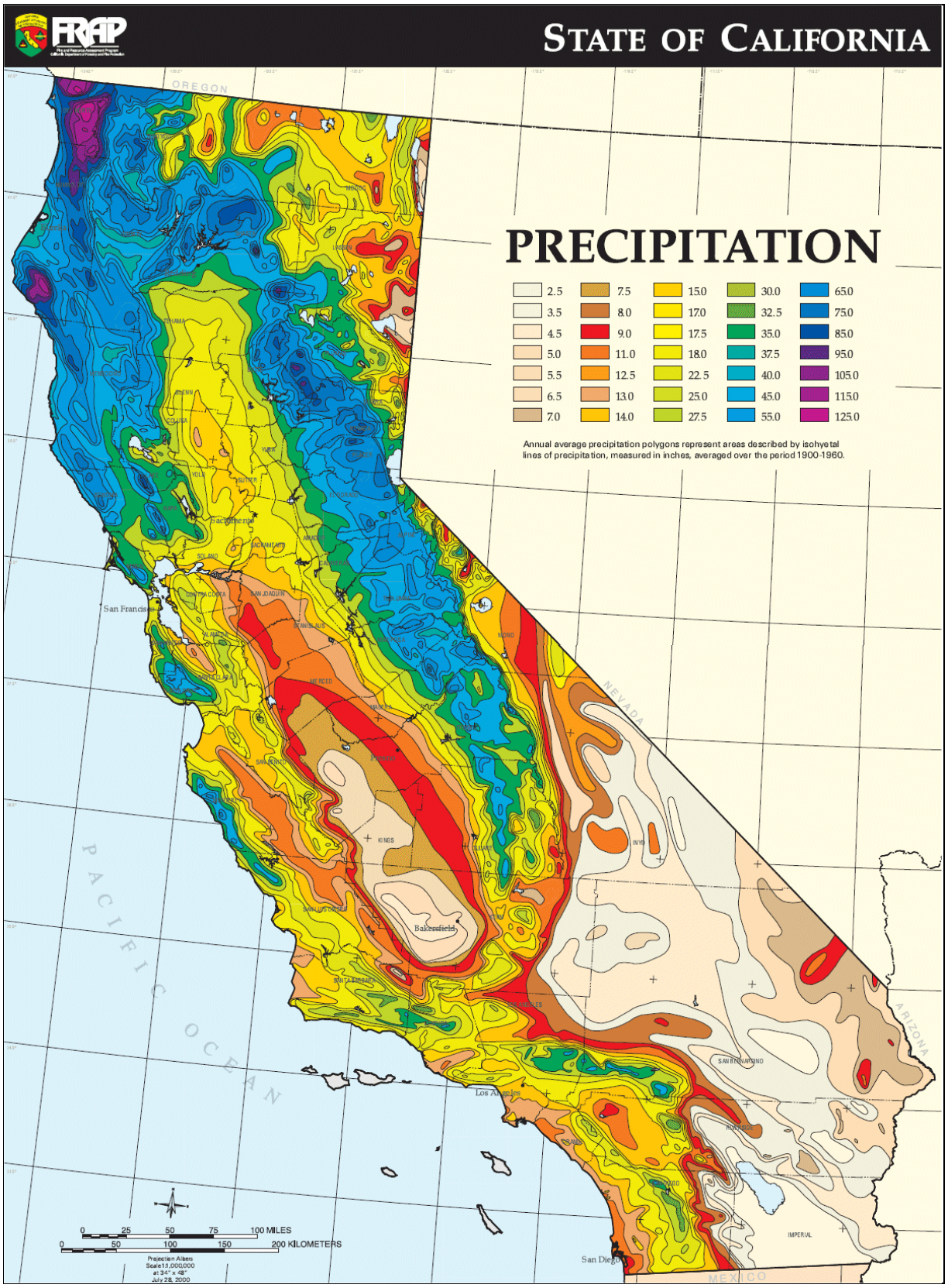

Figure 3 Annual Precipitation Rates in California (CDF, 2011)

2.3.2 Runoff

Runoff is the amount of water left from precipitation that can be measured as stream flow after losses to evaporation, transpiration by plants, and the replenishment of storage within the aquifers. The areal distribution of runoff closely follows the areal distribution of precipitation. Runoff is greatest in the mountains (exceeding 40 inches per year in many areas), where most of the precipitation falls as snow that melts during the spring and runs off with minimal evapotranspiration. In contrast, the basins in the arid parts of southeastern California have virtually zero runoff because most precipitation is lost due to high rates of evaporation. However, high-intensity storms or rapid snowmelt in the mountains that border the basins may cause flash floods that reach the floors of the basins.

2.3.3 Water Surplus and Deficit

The relation between precipitation and evapotranspiration is a major factor in water availability. If annual precipitation exceeds annual potential evapotranspiration, then there is a net surplus of water and stream flow is perennial. Water is available to recharge aquifers only at times when precipitation or snowmelt is greater than actual evapotranspiration. However, annual potential evapotranspiration can exceed annual precipitation, which causes a net deficit of water. A net annual moisture deficit is present almost everywhere in California except the northern California coast (which receives considerable rainfall from winter storms) and the mountainous regions of northern and east-central California.

In most of southern California, nearly all streams that arise in the mountains are ephemeral and lose flow to alluvial aquifers within a short distance of where the streams leave the mountains and emerge onto the valley floors.

2.4 Hydrologic Regions of California[2]

Hydrologists divide California into hydrologic regions (Figure 4). The Regional Water Boards are defined (for the most part) by the boundaries of these hydrologic regions, as described in Water Code section 13200. Hydrologic regions are further divided into hydrologic units, hydrologic areas, and hydrologic subareas.

[2] Hydrologic region descriptions were adapted from: California's Groundwater, Bulletin 118, DWR 2003 and the Regional Water Board Basin Plans

Figure 4 Hydrologic Regions and Groundwater in California (DWR 2003)

2.4.1 North Lahontan Hydrologic Subregion

The North Lahontan Hydrologic Subregion consists of the western edge of the Great Basin, and water in the region drains eastward toward Nevada. Groundwater in the northern half of this subregion is primarily contained in basin-fill and volcanic rock

aquifers, with some fractured hard rock zones. The southern half of this region is dominated by fractured hard rock zones, but small segments of basin-fill aquifers also exist in this part of the subregion. In general, the water quality in the North Lahontan Hydrologic Subregion is good. In basins in the northern portion of the region, groundwater quality is widely variable. The groundwater quality along these basin margins tends to be of higher quality, but the potential for future groundwater pollution exists in urban and suburban areas where single-family septic systems have been installed, especially in hard rock areas. Groundwater quality in the alpine basins ranges from good to excellent.

2.4.2 South Lahontan Hydrologic Subregion

The South Lahontan Hydrologic Subregion is bounded on the west by the crest of the Sierra Nevada, on the north by the watershed divide between Mono Lake and East Walker River drainages, on the east by Nevada, and on the south by the crest of the San Gabriel and San Bernardino mountains and the divide between watersheds draining south toward the Colorado River and those draining northward. The subregion includes all of Inyo County and parts of Mono, San Bernardino, Kern, and Los Angeles Counties.

The South Lahontan Hydrologic Subregion contains numerous basin-fill aquifers, separated by fractured hard rock zones. Although the quantity of surface water is limited in the South Lahontan Hydrologic Subregion, the quality is very good, being greatly influenced by snowmelt from the eastern Sierra Nevada. However, at lower elevations, groundwater and surface water quality can be degraded, both naturally from geothermal activity, and because of human-induced activities. Drinking water standards are most often exceeded for TDS, fluoride, and boron content. Groundwater near the edges of valleys generally contains lower TDS content than water beneath the central part of the valleys or near dry lakes.

2.5 Industrial Wastewater Facilities

The Lahontan Region contains facilities that generate industrial wastewater in areas where connection to a publicly owned treatment works (POTW) is either unavailable (unconnected industrial facilities) or not allowed. These facilities include cannabis cultivation or manufacturing practices, maintenance yards, manufacturing facilities, and other commercial operations. Wastewater treatment and disposal methods may vary by site. Treatment and disposal may include, but not be limited to, aerobic treatment systems, lined surface units, activated sludge, or disinfection systems. Wastewater discharges from industrial wastewater facilities are either currently regulated by individual waste discharge requirements or stored onsite and hauled to a regulated wastewater treatment plant.

3 Project Description

The Lahontan Water Board is preparing a Small Industrial Order for treated wastewater from small industrial systems to land that will be applicable regionwide. The Lahontan

Water Board will have discretion whether to enroll dischargers in the Small Industrial Order, site-specific WDRs, or another administrative mechanism. The Small Industrial Order regulates wastewater discharges to small wastewater treatment systems from facilities generating industrial wastewater at a monthly average flow rate of 100,000 or less gallons per day.

3.1 Wastewater Characteristics

The wastewater regulated by the Small Industrial Order includes wastewater generated by industrial (nondomestic) sources. The source of industrial wastewater inherently influences the wastewater threat to water quality. The Small Industrial Order considers both the characteristics of the water supply to the industrial process and any chemical constituents added to wastewater during the industrial process. The characteristics of the water supply are used to inform the discharge effluent limits and the monitoring requirements.

Table 1 summarizes the typical constituents associated with industrial wastewater discharges.

Table 1 Typical Industrial Wastewater Constituents

Constituent	Description
Total Dissolved Solids (TDS)	Total dissolved solids (TDS) consists of both volatile (organic) and fixed (inorganic) fractions. A varying concentration of volatile dissolved solids will exist in wastewater effluent depending upon the wastewater source and treatment technology. Fixed dissolved solids (FDS) do not degrade biologically. Elevated concentrations of FDS in land applied effluent can change soil chemistry and degrade groundwater quality. Salinity is a measure of dissolved solids in water. Excessive salinity can reduce the beneficial uses of water.
Nutrients	Nitrate can be a groundwater contaminant and when concentrations are high in drinking water, it poses a human health concern associated with methemoglobinemia.
Priority Pollutants, Toxic Organics, and Heavy Metals	Wastewater generated by industrial activities may contain higher concentrations of chemical constituents than those found in domestic wastewater. This may be particularly true for toxic organics (e.g., cleaning agents, solvents, pesticides), heavy metals (e.g., As, Cd, Cr, Hg, Zn), dissolved inorganics (e.g., chloride), and other constituents typically found at zero to trace concentrations in domestic wastewater. Constituents discharged from the treatment process have the potential to be present at toxic concentrations.

Constituent	Description
Biodegradable Organics	Excessive biochemical oxygen demand loading of ponds of land application areas may result in nuisance odors or anaerobic conditions.

Source: Adapted from US EPA 2005, Tchobanoglous and Burton 2003

3.2 Wastewater Treatment and Disposal

Wastewater treatment and disposal methods may vary by site and the available technologies are expected to evolve with time. Treatment and disposal may include, but not be limited to, aerobic treatment systems, sand/media filters, constructed wetlands, lined surface units, activated sludge, membrane biological reactors, chemical flocculation, or disinfection systems. The level of treatment shall be based upon the wastewater quality and the receiving water quality at the wastewater disposal location. Each facility will be constructed, operated, and maintained in accordance with engineer-approved plans submitted with each specific treatment facility.

The footprint of a disposal facility for treated wastewater will vary with the size of the discharge, the type of treatment unit selected, and the disposal method. The operation and maintenance plans with each system will be a part of the Small Industrial Order requirements and will require compliance with those plans. The minimum level of treatment requirements is specified by a determination process in the Small Industrial Order. Treatment must meet the water quality objectives for the associated designations in the Lahontan Basin Plan. Groundwater designated as municipal must not contain concentrations of chemical constituents in excess of the maximum contaminant level or secondary maximum contaminant level based upon drinking water standards.

The Small Industrial Order considers regulated disposal of wastewater via evaporation as having lower threat to underlying groundwater quality than disposal of wastewater via infiltration. This distinction is based on presuming wastewater disposed of via evaporation will stay isolated from pervious soils during the evaporation process. The Small Industrial Order splits systems using evaporative disposal into Evaporative Disposal Category and systems using infiltrative disposal into Infiltrative Disposal Category for the purposes of the report of waste discharge, order requirements, and monitoring and reporting.

3.2.1 Evaporative Disposal

The evaporative disposal of industrial wastewater includes any treated industrial wastewater disposed of via evaporation impoundment structure. Typical generators of evaporative disposal of industrial wastewater include facilities producing a high total dissolved solids concentration in the wastewater flow. One example is reverse osmosis and filtration wastewater from small community drinking water systems and another example is cultivation irrigation water treatment and tailwater wastewaters from indoor

agricultural operations, such as cannabis facilities. Any facility discharging treated wastewater to an infiltrating disposal system (e.g., percolation pond, on-site irrigation) are not eligible for this category.

Evaporative disposal of industrial wastewater does not make direct contact with a receiving water. Most wastewater in this category is evaporated and assumed to deposit residual constituents in a solid or slurry form. This solid or slurry material is disposed by the permittee at a separate, permitted facility. The evaporated water is assumed to have minimal threat to water quality and, because it is not discharged to an infiltrating disposal system, no explicit effluent limits are imposed on this category.

3.2.2 Infiltrative Disposal

Infiltrative disposal of industrial wastewater includes any treated industrial wastewater disposed via infiltration. This includes both surface and subsurface infiltration methods. Typical generators of infiltrative disposal of industrial wastewater include facilities able to cost-effectively treat wastewater constituents to the effluent limits. Example facilities generating this type of wastewater include cannabis manufacturing, maintenance yards, and other commercial manufacturing operations.

Infiltrative disposal of industrial wastewater does make direct contact with a receiving water. Effluent limits are imposed on this category to ensure discharge is protective of receiving water quality. The effluent limits are relatively stringent with a default to drinking water maximum contaminant levels with an allowance for matching background concentrations, as applicable.

3.3 Monitoring and Reporting

Compliance with the Small Industrial Order is documented by self-monitoring reports submitted to the Lahontan Water Board quarterly and annually. This includes regularly reporting the results of observations and analytical data related to compliance. In addition, technical reports may be required to determine the effectiveness of the small industrial system. The Executive Officer may require additional investigations or monitoring to demonstrate beneficial uses of water are protected and antidegradation requirements are satisfied including, but not limited to, evaluation of the wastewater system’s treatment performance, groundwater monitoring, or additional sampling to characterize the wastewater discharge.

4 Environmental Checklist

The Lahontan Water Board has prepared this Initial Study to evaluate reasonably foreseeable environmental impacts and determine if a significant impact to the environment is likely with the adoption of the Small Industrial Order. The adoption of the Small Industrial Order is for regionwide application and does not address a specific site. The subsequent evaluation of the environmental factors only considers potential environmental impacts that may result from construction and operation of typical small industrial systems instead of systems with specific types and locations. Pursuant to

California Code of Regulations, title 14, section 15064(d), a change which is speculative or unlikely to occur is not reasonably foreseeable and should not be considered in the environmental analysis. The Lahontan Water Board has the discretion whether to use the Small Industrial Order or require individual WDRs for regulatory coverage on a site-by-site basis. Furthermore, local land use authorities have discretion over approval, siting, and design of new and expanding facilities.

The Small Industrial Order contains requirements that protect water quality and the impacts from the project are expected to be "less than significant impact" or "no impact" levels. The Lahontan Water Board cannot speculate on how many facilities may be covered as a result of the Small Industrial Order and is not able to determine the location or design of any facilities.

Wastewater treatment systems are constructed because of factors unrelated to the adoption of the Small Industrial Order. The effect of the Lahontan Water Board's discretionary action adopting the Small Industrial Order is that permitting could occur under the Small Industrial Order instead of under individual WDRs. To the extent a project is not consistent with the Small Industrial Order, or additional requirements are determined to be necessary, the Lahontan Water Board can prepare site-specific WDRs.

For the environmental analysis of the checklist below, any conditions and/or requirements of the Small Industrial Order are considered project design features and are not evaluated as mitigation measures. Any environmental impacts associated with the Small Industrial Order are expected to be less than significant. The Small Industrial Order does not alter or supersede any regulations of other agencies. The scope of this project only addresses small industrial wastewater treatment systems from facilities generating industrial wastewater at a monthly average flow rate of 100,000 or less gallons per day and not regulated by an existing individual order. Given the small scale of these projects, no significant impact is expected, and the Small Industrial Order will provide more stringent regulation than is currently in place at the regionwide level.

PROJECT INFORMATION	
Project Title:	General Waste Discharge Requirements for Small Industrial Wastewater Treatment Systems
Lead agency name and address:	Lahontan Regional Water Quality Control Board 2501 Lake Tahoe Blvd. South Lake Tahoe CA 96150
Contact person and phone number:	Carly Nilson Lahontan Region Cannabis Program (530) 542-5445
Project Location:	Lahontan Region
Project sponsor's name and address:	Lahontan Regional Water Quality Control Board, 2501 Lake Tahoe Blvd., CA 96150

General plan description:	Not Applicable
Zoning:	Not Applicable
Description of project:	See Chapter 2.4 Project Description
Surrounding land uses and setting; briefly describe the project's surroundings:	Lahontan Region
Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	None

4.1 Aesthetics

AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. New or expansion of small industrial systems could be installed in a variety of settings in many areas of the Lahontan Region, including scenic areas. The treatment system, components, footprint, and construction activities may vary, however the potential impacts to aesthetics are expected to be less than significant

Siting criteria of the local authority will continue to establish appropriate locations for new structures or modifications to existing structures on a site-specific basis, accounting for scenic vistas. Many local agencies have ordinances in place establishing standards for construction within scenic areas and established local land use and zoning requirements. The Small Industrial Order will not affect those requirements.

Any above ground components have a low profile and wastewater disposal in leach fields are covered with shallow rooted plants that do not obstruct views. Leach fields are sized depending upon the discharge rate but are unlikely to affect a scenic vista.

In most cases, components are constructed at least partially below ground or within a structure to limit public access. Moderate sized systems are generally constructed

near developed areas, but their relative size to treatment capacity allows them to be concealed within garage sized buildings or behind fenced areas and sightline screening vegetation.

Surface impoundments, such as constructed wetlands and ponds, require the largest footprint. As a result, these systems are generally located where there is available land and are often fenced for public safety. For the purposes of the Small Industrial Order, most systems will be smaller in scale due to the maximum capacity of treating industrial wastewater at a monthly average flow rate of 100,000 of less gallons per day and thus not have a significant impact on an overall scenic vista

The potential impacts of the Small Industrial Order on scenic vistas are considered less than significant.

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

Less than Significant Impact. See the response to item (a) above. There are currently approximately 400 miles of state designated scenic highway resources in the Lahontan Region. Although the facilities covered by the Small Industrial Order could be constructed within the view shed of scenic highways, federal, state and local regulations would prohibit these facilities from being constructed within highway rights-of-way. Because above ground portions of these facilities would be relatively low-profile and would be located outside of highway rights-of-way, impacts to scenic highways would be less than significant. The nature of these facilities would also preclude construction in or on historic buildings and rock outcroppings.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact. See the response to item (a) above.

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

Less than Significant Impact. Permanent sources of external lighting are not a feature of small industrial systems. If security lighting is needed, it can be shielded to prevent substantial light or glare. The lighting associated with any treatment will likely be of a localized level that would not adversely affect day or night views by creating a new source of substantial light or glare. Security lighting, if used, would typically be required by the local land-use authority. This issue would be addressed during the site-specific evaluation of individual projects by the local authority. Adoption of the Small Industrial Order will not create new sources of substantial light or glare. The Small Industrial Order will have a less than significant impact on day or night time views in the area.

4.2 Agriculture Resources

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

DISCUSSION

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Less than Significant Impact. Installation of new or expanding wastewater systems could occur on a wide variety of soil types throughout the Lahontan Region, including areas that could be categorized under the Farmland Mapping and Monitoring Program as Farmland of Statewide Importance and Prime or Unique Farmland. The Small Industrial Order does not cover systems designed to treat agricultural waste and the scale of the facilities covered under the Small Industrial Order would not trigger any large scale land conversion. Any systems constructed on agricultural land would be incidental to the industrial uses associated with farm operations. Therefore, systems constructed on agricultural lands would be relatively small and would allow continued use of the land for agricultural purposes.

The Small Industrial Order does not change zoning or land use designation and will not alter the economics of farmland conversion to other uses. Industrial wastewater

systems are often constructed or expanded to address an industrial need, occurring in areas that are already designated for industrial uses. In addition, conversion of farmland to other uses would be a necessary precursor to industrial development and associated wastewater system construction. Prior to conversion of farmland to other uses, entitlements would be required by local land use authorities and a project specific CEQA evaluation may be performed, which would include any new or expanding wastewater systems seeking coverage under the Small Industrial Order. It is not reasonably foreseeable that the Small Industrial Order would lead to a change in number of industrial building construction or expansion that would require the conversion of farmland.

The potential impacts of the Small Industrial Order on such farmland are considered less than significant.

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

Less than Significant Impact. The adoption and implementation of the Small Industrial Order will not affect zoning designations, or a Williamson Act contract established by local land use jurisdictions. Although construction of small industrial systems could occur within land zoned for agriculture and land with existing Williamson Act contracts, the Small Industrial Order does not affect zoning or Williamson Act contracts. Such conflicts would require zoning modifications, additional entitlements, and/or changes in Williamson Act contracts. This would then require discretionary action by local land use authorities and would require the preparation of site-specific environmental documents that analyze these impacts.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Pub. Resources Code, § 12220(g)), timberland (as defined by Pub. Resources Code, § 4526), or timberland zoned Timberland Production (as defined by Gov. Code, § 51104(g))?

Less than Significant Impact. The adoption and implementation of the Small Industrial Order will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. Any conflicts with or conversion of existing zoning would require site-specific project approvals by local land use authorities. See the response in (a) and (b) above.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Less than Significant Impact. Installation of new or expanding wastewater systems could occur on a wide variety of soil types throughout the Lahontan Region, including forest land. Wastewater systems are constructed or expanded only to address a population or industrial need. Therefore, loss of forest land or conversion of forest land to non-forest use to other uses would be a necessary precursor to wastewater system construction. Adopting the Small Industrial Order does not change zoning or land use designation and will not alter the economics of forest land conversion to other uses. Prior to conversion of forest land to other uses, entitlements would be required by local land use authorities and a project specific

CEQA evaluation would be performed, which would include any new or expanding wastewater systems seeking coverage under the Small Industrial Order. The issue of loss or conversion of forest land will be evaluated on a site-specific basis as these projects are identified. The potential impacts of the Small Industrial Order on such forest land are considered less than significant.

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

Less than Significant Impact. See the response to item (a) and (d) above.

4.3 Air Quality

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people)?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. Nearly all equipment at a small industrial system is powered by electricity. Emergency generators powered by stationary internal combustion engines that exceed a horsepower rating (typically 50 HP) must be permitted by local air quality management districts. Emergency electrical generators are typically required at wastewater systems to power essential equipment as a backup power source. The use of emergency equipment is generally limited to short-term uses. The additional air quality impacts caused by these systems would be negligible and the overall air quality impacts caused by the uses for which the systems would serve would be analyzed by the local land use authority permitting agency. The adoption of the Small Industrial Order will not supersede or alter any existing regulations or requirements of other agencies.

Construction of such systems generally requires very few construction vehicles. Construction related air quality impacts are expected to be minor, short term, and would be temporary. The systems are also very small in size, and so any affects are less than significant. The Small Industrial Order would result in less than significant impacts to implementation of an applicable air quality plan.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality?

Less than Significant Impact. See the response to item (a) above. Areas throughout the state are in non-attainment for various criteria pollutants. Air quality impacts are expected to be negligible; therefore, cumulative impacts would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. See the response to item (a) above.

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

Less than Significant Impact. Well operated wastewater systems do not generally produce emissions. However, overloaded treatment systems may generate odors if subjected to upset due to excessive BOD loading, toxic discharges, or seasonal odor generation if thermally stratified ponds mix. The Small Industrial Order requires that any nuisance odors are not perceivable beyond the property line of the wastewater treatment facility. The facility could be subject to enforcement action if complaints are received by the Lahontan Water Board by any member of the public beyond the property line of the facility. It is not expected that these systems will be in areas that are heavily populated. Adoption of the Small Industrial Order will have a less than significant impact in creating objectionable odors.

4.4 Biological Resources

IV. BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. The Small Industrial Order limits the wastewater discharge at a monthly average flow rate of 100,000 or less gallons per day; therefore, it addresses relatively small wastewater systems that will consist of limited areal extant facilities. Discharges to surface waters is prohibited by the Small Industrial Order, including wetlands. Therefore, the discharges are unlikely to affect a species identified as a candidate, sensitive, or special status species.

Based on the small size of the wastewater systems, a substantial adverse effect on biological resources is unlikely. However, due to the great number of special status species throughout the Lahontan Region, impacts will be evaluated on a case-by-case basis. As individual facilities are proposed for construction, siting would be evaluated by local land use authorities. Most local authorities siting criteria includes protection of environmentally sensitive areas and this includes proximity to habitats of threatened and endangered species.

As per Small Industrial Order requirements, applicants for any new or expanding facilities will need to consult the California Natural Diversity Data Base (CNDDB) to ensure the facility is not located in an area of rare plants and animals in California. The Small Industrial Order also sets effluent limitations. Wastewater discharged to authorized disposal sites must not contain tract elements, pollutants or contaminants, or combinations thereof, in concentrations that are toxic or harmful to humans or to aquatic or terrestrial plant or animal life.

If there is the potential to have a substantial adverse effect on species identified as a candidate, sensitive, or special status species (protected species) in local or regional plans, policies, or regulation, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFW), coordination will be recommended with applicable agency to avoid impacts prior to qualifying for the small Industrial Order. Adoption of the Small Industrial Order will not have a substantial adverse effect on any candidate, sensitive, or special status species.

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

Less than Significant Impact. See the response to item (a) above.

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

Less than Significant Impact. Because the discharge is limited to land, projects are unlikely to impact federally protected wetlands. In addition, see the response to item (a) above.

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

Less than Significant Impact. Adoption of the Small Industrial Order will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with the established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. The size of the systems covered under the General Order would not substantially interfere with the movement of wildlife species. Any above ground components have a low profile and wastewater disposal in leach fields are covered with shallow rooted plants. In most cases, the components are constructed at least partially below ground or within a structure. Moderate sized systems are generally constructed near developed areas, but their relative size to treatment capacity allows them to be concealed within garage sized buildings or behind fenced areas. The size of these systems is such that they can be placed in areas that would not impede the movement of species. In addition, see the response to item (a) above.

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

Less than Significant Impact. The Small Industrial Order does not address, preempt, or supersede the authority of local policies or ordinances protecting biological resources. Therefore, conflicts with such plans, policies or ordinances are unlikely to occur.

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

Less than Significant Impact. See the response to item (a) above.

4.5 Cultural Resources

V. CULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☒	☐

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

DISCUSSION

a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA section 15064.5?

Less than Significant. Adoption of the Small Industrial Order will not result in a substantial adverse change to the significance of any cultural resource.

When soil excavation is necessary to correct onsite conditions or maintain onsite features of an existing facility, that work is anticipated to occur in areas already constructed and disturbed and the likelihood of encountering historical, archaeological, human remains, tribal cultural resources and paleontological resources is low. Any associated soil movement and disturbance is unlikely to create a significant impact to cultural resources in comparison to existing baseline conditions. In the event that excavation activities take place in previously undisturbed areas, a cultural resources investigation shall be required prior to any substantial disturbance. The cultural resources investigation will include, at a minimum, a records search for previously identified cultural resources and previously conducted cultural resources investigations of the project parcel and vicinity. The discharger shall perform a records search of potential Native American archeological or cultural resources at a California Historical Resources Information System (CHRIS) information center. Any person who meets qualification requirements for access to the CHRIS may perform the initial CHRIS records search and document the results.

Despite diligent advance research, inadvertent discoveries may occur. In such cases, work crews will stop work in the vicinity of a cultural resource discovery to avoid damage until a qualified archaeologist can assess the significance of the find. If necessary, treatment measures will be developed in consultation with appropriate agencies and tribal representatives. Such measures could include requiring that the site be avoided, conducting recovery excavations, and/or capping the site to avoid further disturbance of artifacts.

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

Less than Significant. See the response to item (a) above.

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

Less than Significant. See the response to item (a) above. Adoption of the Small Industrial Order will not have a substantial adverse effect on human remains. However, specific projects seeking coverage under the Small Industrial Order may have the potential to encounter human remains during construction activities. Upon

discovery of human remains, project proponents will need to comply with Health and Safety Code section 7050.5 and Public Resources Code section 5097.98. The following actions will be taken immediately upon the discovery of human remains:

Work in the vicinity of the discovery will stop immediately and the county coroner will immediately be notified. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the coroner has 24-hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48-hours of being granted access to the site to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and any associated grave goods.

4.6 Energy

VI. ENERGY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. Construction of a wastewater system involves the use of heavy equipment for hauling, excavation, etc. The construction phase is of limited duration and a small footprint; therefore, it would not create a significant impact on the environment. Local land ordinances require construction during daylight hours, limiting any energy consumption specific to illuminating project construction area.

Operation of a small industrial system normally uses electricity for pumps, mixers, monitors, chemical feed lines, continuous samplers, and mechanical aerators, to name a few. Because operators pay for electricity based on usage, they are incentivized to employ efficient practices wherever possible.

Therefore, wasteful, inefficient, or unnecessary consumption of energy during project construction or operation is not expected and would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Less than Significant Impact. The adoption of the Small Industrial Order will not supersede or alter any state or local plans or ordinances.

4.7 Geology and Soils

VII. GEOLOGY AND SOILS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

DISCUSSION

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

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

Less than Significant Impact. Adoption of the Small Industrial Order will not have a substantial adverse effect caused by geologic or soil conditions. The Small Industrial Order requires that the siting, design, construction, and operation of the wastewater system shall comply with the requirements of the Basin Plan.

Any constructed facility will be designed and reviewed by a licensed Civil Engineer and will be built in accordance with California seismic design standards. The structures associated with small industrial wastewater treatment systems are usually small one-story structures constructed in accordance with current seismic standards contained in the Uniform Building Code.

Therefore, substantial adverse effects including risk of loss, injury, or death are unlikely. In addition, the siting criteria of the local agencies will establish appropriate locations and seek to avoid or minimize, on a site-specific basis, any potential for risk to people or structures. The Small Industrial Order will have a less than significant impact to exposure of people or structures to potential adverse effects, including the risk of loss, injury, or death associated with earthquake faults.

ii. Strong seismic ground shaking?

Less than Significant Impact. See the response to item (a)(i) above.

iii. Seismic-related ground failure, including liquefaction?

Less than Significant Impact. See the response to item (a)(i) above.

iv. Landslides?

Less than Significant Impact. See the response to item (a)(i) above.

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

Less than Significant Impact. Some facilities permitted under the Small Industrial Order are likely to apply wastewater to surface infiltrative disposal area. Wastewater must not be applied to a surface disposal area within 24 hours of forecasted precipitation with a greater than 50-percent probability of occurring, during precipitation events, or when the surface disposal surface soil is saturated. Wastewater must not runoff from a surface disposal. This reduces the amount of water available to erode soil.

In addition, erosion is unlikely to occur due to the limited areal extent of an infiltrative disposal area, stormwater falling on the surrounding area is typically diverted around the infiltrative disposal area, and most infiltrative disposal areas are cropped, which provides stabilizing turf or plant roots reducing erosion.

Some erosion may occur during construction. The Regional Board regulates the discharges that may result from stormwater during construction through State Board's NPDES Stormwater Construction Permit, through a Lahontan Regional Board Permit, or an individual Order. Construction of these systems is expected to be temporary and short term. Considering the size of the systems, any erosion that may occur during construction is expected to be within a small footprint and localized, creating a less than significant impact.

The Small Industrial Order requires an erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface for ponds.

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

Less than Significant Impact. See the response to item (a)(i) above.

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

Less than Significant Impact. Adoption of the Small Industrial Order will not have a substantial adverse effect caused by expansive soils creating substantial risks to life or property. The Small Industrial Order requires applications and project designs be submitted by a California licensed professional civil engineer. The project design process includes geotechnical investigations to determine the presence of adequate soil conditions to support any wastewater treatment facility construction. If local areas with expansive soils were encountered, facilities would be designed according to the Uniform Building Code to prevent structural damage from soil expansion and contraction. The Small Industrial Order itself will result in a less than significant impact associated with geology and soils.

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

Less than Significant Impact. The Small Industrial Order requires adequate wastewater disposal capacity. Requirements for septic tank leach field design are provided in the Small Industrial Order, and wastewater systems must be designed by a California licensed professional engineer. Soils at the project location must be adequate to support the wastewater project construction.

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

Less than Significant Impact. The Small Industrial Order requires that, prior to project implementation, a record data search will be conducted. The Small Industrial Order requires the submittal of geologic information to ensure the area is appropriate for an on-site disposal system, preventing unique geologic resources from being adversely impacted.

Despite diligent advance research, inadvertent discoveries may occur of paleontological resources. In such cases, work crews will stop work in the vicinity of a cultural resource discovery to avoid damage until a qualified archaeologist can assess the significance of the find. If necessary, treatment measures will be developed in consultation with appropriate agencies and tribal representatives.

4.8 Greenhouse Gas Emissions

VIII. GREENHOUSE GAS EMISSIONS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

DISCUSSION

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

Less than Significant-Impact. Construction of a wastewater system involves the use of heavy equipment for hauling, excavation, etc. However, the construction phase is of limited duration and would typically require few construction vehicles at any given time; therefore, it would not create a significant impact on the environment.

Operation of a small industrial system may result in generation of some greenhouse gas (GHG) emissions. The primary gasses of concern produced are carbon dioxide (CO2) and methane (CH4). Minimal amounts of hydrogen sulfide (H2S) may be generated if the treatment process is upset. The amount of gas produced varies depending upon treatment technology, operation and maintenance practices, and the disposal of residual waste material. Disposal of solids may temporarily make them unavailable to the atmosphere, but all disposal or reuse techniques eventually allow the CO2 and/or CH4 to recycle back into the atmosphere. However, only small facilities are considered under this permit and the associated GHG emissions that may be generated are minimal. Therefore, it would not create a significant impact on the environment

Currently, most air basins in California are in non-attainment for ozone (i.e., the standard was violated during the latest three-year period), and only a small portion of the Mojave Desert Air Basin (in San Bernardino County) is in non-attainment for H2S emissions (California Air Resources Board [CARB], 2012). Although CH4 is acknowledged to be a GHG and a significant contributor to climate change, it is not a criteria pollutant regulated by air basins in California.

Operation of a small industrial system normally uses electricity for pumps and mechanical aerators. Because operators pay for electricity based on usage, they are incentivized to employ efficient practices wherever possible. It is not expected that the Small Industrial Order will contribute to the cumulative air quality impacts.

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

No Impact. In September 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. This reduction will be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012.

To effectively implement the cap, AB 32 directs the California Air Resources Board (CARB) to develop and implement regulations to reduce statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 (which regulates GHG emissions from vehicles but is currently the subject of litigation) should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions.

The proposed project would not affect applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses, including current and future regulation. The proposed project does not establish any regulations on stationary sources (including vehicles) that alter GHG emission regulations, nor does it alter the State's goals reducing GHG emissions to 1990 levels. Therefore, the proposed project has no impact.

4.9 Hazards and Hazardous Materials

IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structure, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. Adoption of the Small Industrial Order will have a less than significant impact on the potential to create hazards or hazardous materials or create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials.

It is anticipated that most small industrial systems will not store hazardous materials. However, some systems may be required to disinfect wastewater. That activity may be associated with the use and storage of hazardous materials. In general, these systems may employ liquid sodium hypochlorite as a disinfectant rather than chlorine gas, largely due to the safety concerns and cost of maintaining chlorine gas for that activity. Less frequently, wastewater systems are required to adjust pH which may require storage of acid or base chemicals. Local authorities may limit the volume and means of on-site storage for such chemicals through the provisions of California Building Code.

Hazardous materials are defined and regulated under several federal and state statutes and associated regulations. The Small Industrial Order does not change any regulations pertaining to hazardous materials.

The Small Industrial Order does not allow the discharge of hazardous waste. The Small Industrial Order will have less than significant impact to the public or the environment through the routine transport, use, or disposal of hazardous materials.

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

Less than Significant Impact. See the response to (a) above.

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

Less than Significant Impact. See the response to (a) above.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less than Significant Impact. See the response to (a) above.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Less than Significant Impact. Small industrial systems may be in the vicinity of an airport or airstrip. Because of the small nature of the facilities, minimal noise would be generated. The Small Industrial Order would not otherwise create safety hazards or excessive noise within the vicinity of an airport or airstrip. See the response to (a) above.

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

No Impact. Adoption of the Small Industrial Order will not supersede or interfere with the implementation of an adopted emergency response or emergency evacuation plan.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less than Significant Impact. The Small Industrial Order would not add population or housing to wildland areas, nor would the small industrial facilities covered by the Small Industrial Order create any new significant fire risk within wildland areas.

4.10 Hydrology / Water Quality

X. HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the additional of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or ff-site;	☐	☐	☒	☐
ii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐

iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

DISCUSSION

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact. The Small Industrial Order will be implemented by the Lahontan Water Board and compliance with the Basin Plan is required. The Small Industrial Order requires a discharger seeking enrollment to design an appropriate method of wastewater treatment based on site-specific conditions.

If the proposed discharge would not be protective of water quality, Basin Plan requirements, or other requirements, additional treatment of the wastewater would be required before allowing the discharge. Alternatively, the Lahontan Water Board can issue site-specific WDRs for a discharge that addresses potential impacts from a proposed discharge.

The Small Industrial Order prohibits the discharge to cause or contribute to exceedances of groundwater limitations, which are based on water quality objectives contained in the Basin Plan. It also requires discharge and treatment setback for wastewater treatment and dispersal areas from domestic wells, flowing or ephemeral streams, lakes or reservoirs, and property lines. Setbacks provide attenuation of wastewater constituents through physical, chemical, and biological processes. The setbacks provided in this Small Industrial Order are based on existing water quality protective setbacks, including those from the California Well Standards, the OWTS Policy, the California Plumbing Code, and commonly imposed setbacks by regulatory agencies.

The Small Industrial Order includes discharge monitoring and reporting plan requirements for all treatment systems. These plans demonstrate the continued capability of the treatment system to maintain effluent limits for constituents of concern found in the wastewater.

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

Less than Significant Impact. Adoption of the Small Industrial Order will not have a significant impact to groundwater supplies or recharge.

The Small Industrial Order does not substantially affect groundwater supply or recharge. For many existing facilities, such as those associated with cannabis cultivation, industrial wastewater is hauled off site for treatment and disposal,

typically for disposal located in different groundwater basins. The proposed project allows an option for treatment and disposal of non-domestic wastewater within the same groundwater basin from which the water was originally sourced. Therefore, the proposed project will result in a less than significant impact.

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

Less than Significant Impact. Small industrial systems are not allowed to be constructed in drainage areas that would require changing the course of a stream or river. Wastewater discharge will only be to land, and the Small Industrial Order also requires discharge and treatment setback for wastewater treatment and dispersal areas from domestic wells, flowing or ephemeral stream, lakes or reservoirs, and property lines. Construction activity will be performed consistent with a construction stormwater permit to minimize erosion and siltation issues.

i. Result in substantial erosion or siltation on- or off-site;

Less than Significant Impact.
Because all wastewater is treated prior to discharge, and wastewater is contained in treatment systems at the wastewater facility, discharge of polluted runoff is unlikely to occur, limiting any potential erosion. The Small Industrial Order requires that all pond systems shall have an erosion control program implemented to ensure that small coves and irregularities are not created around the perimeter of the pond. Additionally, wastewater will not be applied to a surface disposal area within 24 hours of forecasted precipitation with a greater than 50-percent probability of occurring, during precipitation events, or when the surface disposal surface soil is saturated. The adoption of the Small Industrial Order will not change any existing regulatory program that addresses stormwater runoff and erosion.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less than Significant Impact. See response to item (i) above. The Small Industrial Order requires that pond systems have capacity to accommodate wastewater, design seasonal precipitation, ancillary inflow/infiltration (I/I), and wind driven waves.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less than Significant Impact. See response to item (i) and (ii) above.

iv. Impede or redirect flood flows?

Less than Significant Impact. The Small Industrial Order covers small industrial systems only and does not address the construction of new housing or other

major structures. Small industrial systems covered by the Small Industrial Order might be constructed within flood hazard areas; however, they would typically not include large above-ground structures which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary Map, Flood Insurance Rate Map, or other flood hazard delineation map.

The Small Industrial Order will include setbacks for wastewater treatment and disposal areas from flowing or ephemeral streams, lakes or reservoirs, and property lines. Wastewater treatment systems will be sited and/or designed to prevent flood waters from the 100-year flood (annual one percent probability) event or stormwater runoff from the 100-year storm event from inundating the wastewater surface impoundment structures.

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

Less than Significant Impact. The Small Industrial Order does not address local zoning, which determines acceptable facility locations; therefore, the Small Industrial Order would not result in small industrial treatment systems being placed within a location subject to inundation by seiche, tsunami, or mudflow.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. The Small Industrial Order requires the discharge to comply with the Basin Plan, not pollute groundwater or surface water, or negatively impact any beneficial use. The Small Industrial Order only regulates the treatment and discharge of non-domestic wastewater, and it does not interfere with local jurisdictions abilities to ensure the sustainable allocation of their respective groundwater basins.

4.11 Land Use / Planning

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

DISCUSSION

a) Physically divide an established community?

Less than Significant Impact. The Small Industrial Order addresses wastewater collection, treatment, and disposal, which could provide a necessary service for

existing or planned and permitted communities. Furthermore, the Small Industrial Order is unlikely to conflict with another agency's plan and does not address zoning or land use designations. Therefore, the project is not expected to physically divide an established community.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. Adoption of the Small Industrial Order is not expected to conflict with any applicable land use plan, policy, or regulation. The Small Industrial Order is consistent with policies of the State Water Board and Regional Water Boards. The Small Industrial Order is unlikely to conflict with another agency's plan as it does not alter or supersede any other agencies authority, nor does it not address zoning or land use designations. Such changes would require entitlements from local land use authorities.

4.12 Mineral Resources

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

DISCUSSION

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Less than Significant Impact. Adoption of the Small Industrial Order is not expected to impact the availability of a known mineral resource. The Small Industrial Order limits the wastewater discharge to a monthly average flow rate of 100,000 or less gallons per day; therefore, it addresses relatively small wastewater treatment systems that will consist of facilities of limited areal extent. Based on the small size of these systems, a substantial adverse effect on mineral resources is unlikely.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. See the response to item (a) above. Furthermore, the Small Industrial Order is unlikely to conflict with another agency's plan and does not address zoning or land use designations.

4.13 Noise

XIII. NOISE: Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or 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?	☐	☐	☒	☐

DISCUSSION

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact. Construction activities associated with building a small industrial system will generate noise consistent with the activity. Material delivery and/or earth moving equipment typically involves diesel engines. However, the noise is generally limited to daylight hours. The duration of construction activity varies with the size of the system, from a week for a septic system to a few months for a larger system. These systems will be smaller due to only processing a monthly average flow rate of 100,000 or less gallons per day.

Small industrial systems are not typically significant noise-producing facilities. Some treatment systems have mechanical components that produce a low level of noise when operating. Treatment systems such as packaged plants require pumps, chemical feed lines, and blowers. If needed, these components can be contained within enclosures to reduce ambient noise. The largest systems may be pond treatment systems. Pond treatment systems may employ pumps and mechanical aerators which may run many hours of the day and/or night at certain times of the year. However, pond treatment systems typically occupy a large footprint so that noise is generally not a factor at or beyond the facility boundary.

Service events for small wastewater treatment may result in short term noise generated by a vehicle servicing the facilities, which is normally performed during daylight hours. The frequency of servicing treatment units is dependent on the facility size and complexity. Service events for package treatment systems may occur as frequently as monthly, depending upon the wastewater system specifics. Pond systems are generally designed so that sludge removal is not needed more frequently than a 10- to 15-year timeframe.

Most facilities are in areas without existing POTW infrastructure and so sparsely populated. Some facilities may be located within populated areas but where the local POTW will not accept the industrial wastewater. The California Noise Control Act gives individual cities the power to set strict rules for noise reduction and enforce them as necessary. Each community sets its own ordinances so any facility located in a city limit will be subject to any noise ordinances enforced by the city.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact. See the response to item (a) above.

c) For a project located within the vicinity of a private airstrip or 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?

Less than Significant Impact. The Small Industrial Order would not add population or housing to areas. Small industrial systems may be located in the vicinity of an airport or airstrip, but they would not add substantial numbers of employees or any residents to these areas. Because of the small nature of the facilities, minimal noise would be generated.

4.14 Population / Housing

XIV. POPULATION AND HOUSING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

DISCUSSION

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less than Significant Impact. The Small Industrial Order development is in response for a need for on-site industrial wastewater treatment for facilities often located in industrial zoned areas. The Small Industrial Order does not change zoning or land use designation which would be required prior to the addition of homes, businesses, roads and infrastructure.

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

Less than Significant Impact. Because the Small Industrial Order only addresses small industrial systems, displacement of substantial number of existing housing is unlikely. The nature of the Small Industrial Order is to support restaurants, cannabis cultivation or manufacturing practices, maintenance yards, manufacturing facilities, and other commercial operations with a streamlined permitting process for small industrial wastewater treatment.

4.15 Public Services

XV. PUBLIC SERVICES:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. Wastewater systems will not require additional public services such as fire protection, police protection, schools, parks, and other public facilities. New or expanding wastewater systems would not result in substantial adverse physical impacts associated with provisions of or need for new or physically altered governmental facilities

4.16 Recreation

XVI. RECREATION:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact

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

DISCUSSION

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

No Impact. The Small Industrial Order is not expected to impact the use of existing neighborhood and regional parks or other recreational facilities. The need for construction of new or expansion of wastewater systems are typically performed to address population growth or industry growth, instead of causing the growth.

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

No Impact. See the response to item (a) above.

4.17 Transportation

XVII. TRANSPORTATION: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subsection (b)?	☐	☐	☒	☐
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. The implementation of the Small Industrial Order will not conflict with an applicable plan, ordinance, or policy related to transportation. Construction of new or expanding systems will have a negligible impact on traffic (mobilization of earth-moving equipment and materials to and from the sites). Long term operation of a small industrial system is not a significant trip generating activity.

Adoption of the Small Industrial Order is not expected to conflict with a transportation related ordinance. The Small Industrial Order itself will have less than significant impact on transportation related ordinances or policies.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact. See the response to item (a) above.

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

Less than Significant Impact. See the response to item (a) above.

d) Result in inadequate emergency access?

Less than Significant Impact. See the response to item (a) above.

4.18 Tribal Cultural Resources

XVIII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

DISCUSSION

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

Less than Significant Impact. The Lahontan Water Board initiated AB 52 Tribal Consultation in October 2018, pursuant to Public Resources Code section 21080.3.1. One response was received expressing no concerns with the proposed project.

When soil excavation is necessary to correct onsite conditions or maintain onsite features of an existing facility, that work is anticipated to occur in areas already constructed and disturbed and the likelihood of encountering historical, archaeological, human remains, tribal cultural resources and paleontological resources is low. Any associated soil movement and disturbance is unlikely to create

a significant impact to cultural resources in comparison to existing baseline conditions. In the event that excavation activities take place in previously undisturbed areas, a cultural resources investigation shall be required prior to any substantial disturbance. The cultural resources investigation will include, at a minimum, a records search for previously identified cultural resources and previously conducted cultural resources investigations of the project parcel and vicinity. The discharger shall perform a records search of potential Native American archeological or cultural resources at a California Historical Resources Information System (CHRIS) information center. Any person who meets qualification requirements for access to the CHRIS may perform the initial CHRIS records search and document the results.

Despite diligent advance research, inadvertent discoveries may occur. In such cases, work crews will stop work in the vicinity of a cultural resource discovery to avoid damage until a qualified archaeologist can assess the significance of the find. If necessary, treatment measures will be developed in consultation with appropriate agencies and tribal representatives. Such measures could include requiring that the site be avoided, conducting recovery excavations, and/or capping the site to avoid further disturbance of artifacts.

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

Less than Significant Impact. See response to item (a), above.

4.19 Utilities / Service Systems

XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the 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?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste attainment goals?	☐	☐	☒	☐

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

DISCUSSION

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water draining, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact. The Small Industrial Order regulates small facilities. Because of the small footprint of the facilities, it is not expected that the project would result in the relocation, construction, or relocation of any natural gas, electric power, or telecommunication facilities. Dischargers seeking coverage under the Small Industrial Order may be required to make improvements in treatment, storage, or disposal capacity of their industrial wastewater systems. Any new facilities are unlikely to significantly affect the environment due to the small size of the wastewater treatment systems and requirements contained in the Small Industrial Order as further explained within this CEQA checklist.

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

Less than Significant Impact. The Small Industrial Order will not require new water supply entitlements. Construction of new small industrial systems may require some water supplies to accommodate the construction processes and during startup. The water needs will be minimal and for a very short time. However, the Small Industrial Order will not change the water supply needs or require new entitlements.

c) 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?

No Impact. A requirement of the Small Industrial Order is that applicants must demonstrate an attempt to connect to a POTW if the applicant's facility is located within a POTW's jurisdiction. The Small Industrial Order does not require a POTW to accept the industrial wastewater from these facilities. If a POTW will not accept the wastewater, the Small Industrial Order requires the applicant to provide evidence that connection to the POTW was not approved or infeasible. Therefore, the local wastewater treatment provider (POTW) capacity will not be adversely affected.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact. Small industrial systems typically do not generate significant amounts of solid waste to the extent that it would become a landfill capacity issue. The Small Industrial Order itself will result in less than significant impact to the capacity of landfill facilities.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. The Small Industrial Order requires dischargers to comply with federal, state, and local statutes and regulations related to solid waste. It also requires a sludge management and a spill prevention and emergency response plan that describes operation and maintenance activities to prevent accident releases of wastewater, and to effectively respond to such releases, minimizing the environmental impact.

4.20 Wildfire

XIX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associate infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slop instability, or drainage changes?	☐	☐	☒	☐

DISCUSSION

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The Small Industrial Order does not supersede or alter any existing emergency response or evacuation plans. Therefore, it will not impair an adopted emergency response or evacuation plan.

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

Less than Significant Impact. Due to the small nature of the wastewater systems that will be regulated under the Small Industrial Order, it is not expected that the approval and implementation of the Small Industrial Order will highly affect occupancy rates or wildfire risks. The construction and/or operation of the facility will not heighten any risk of wildfire or the spread of wildfire as activities are not expected to propagate fire.

c) Require the installation or maintenance of associate infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may result in temporary or ongoing impacts to the environment?

Less than Significant Impact. The Small Industrial Order will regulate small wastewater facilities that will require minimal additional infrastructure beyond what has already been permitted by the local land use agency. Any construction activities will be subject to associated construction permits both at the local and state level.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less than Significant Impact. Small industrial systems that can be covered under the Small Industrial Order typically contain the stormwater that falls on the facility footprint. Because all wastewater is treated prior to land application, and wastewater is contained in treatment systems at the wastewater facility, discharge of polluted runoff is unlikely to occur. The Small Industrial Order also requires that all pond systems shall have an erosion control program implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.

4.21 Mandatory Findings of Significance

XX. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

DISCUSSION

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a

rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact. The Small Industrial Order only addresses wastewater discharges to land. Direct or indirect discharges to surface water are prohibited under the Small Industrial Order. Furthermore, discharges are prohibited from polluting groundwater or surface water, adversely affecting beneficial uses of groundwater, or causing an exceedance of any applicable Basin Plan water quality objective for groundwater or surface water. As a result, surface water quality and aquatic species are unlikely to be affected. The systems are also limited in size which may limit any effect on habitat or terrestrial based species. All impacts from the project are expected to be less than significant.

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

Less than Significant Impact. Based on typical small industrial systems, construction of new, or expansion of existing wastewater systems, are unlikely to result in cumulatively considerable effects on the environment due to the small nature of the projects and the proposed requirements in the Small Industrial Order. In addition, the Small Industrial Order is unlikely to change land development economics and therefore it will not change the number of wastewater treatment systems needed. It is at the discretion of each local land use authority whether to allow the construction of new facilities in each area. Local land use authorities also have discretion over more specific siting and design requirements.

The Small Industrial Order will only apply to systems with a monthly average flow rate of 100,000 or less gallons per day. The Lahontan Water Board expects some applicants for this Small Industrial Order will be long-term dischargers that may be in areas without existing POTW infrastructure or are planning for POTW services in the future.

State Water Board Resolution No. 68-16, the Statement of Policy with Respect to Maintaining High Quality of Waters in California (hereafter the Antidegradation Policy), requires disposal of waste into the waters of the state be regulated to achieve the highest water quality consistent with the maximum benefit to the people of the state. This is also consistent with language in the Basin Plan. When seeking coverage under this Small Industrial Order, the Discharger needs to demonstrate the BPTC necessary to maintain the highest water quality consistent with the maximum benefit to the people of the state will be implemented. The efficacy of this BPTC will be tracked using discharge monitoring and reporting.

This Small Industrial Order also includes discharge monitoring and reporting plan requirements for all treatment systems. These plans demonstrate the continued capability of the treatment system to maintain effluent limits for constituents of concern found in the wastewater.

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

Less than Significant Impact. Potential impacts to human beings from implementation of the Small Industrial Order such as impacts to water quality or public health are expected to be less than significant. The Small Industrial Order only addresses wastewater discharges to land. Direct or indirect discharges to surface water are prohibited under the Small Industrial Order. Discharges are prohibited from polluting groundwater or surface water, adversely affecting beneficial uses of groundwater, or causing an exceedance of any applicable Basin Plan water quality objective for groundwater or surface water. Therefore, impacts to water quality are expected to be less than significant. The systems are also limited in size, and so unlikely to have a cumulative effect.

Dischargers obtaining coverage under the Small Industrial Order are subject to the State Water Board policies, the Lahontan Water Board Basin Plan and policies, and local agencies siting criteria.

PRELIMINARY STAFF DETERMINATION

☒ The proposed project COULD NOT have a significant effect on the environment, and, therefore no alternatives or mitigation measures are proposed.

☐ The proposed project MAY have a significant or potentially significant effect on the environment, and therefore alternatives and mitigation measures have been evaluated.

DETERMINATION

On the basis of this initial evaluation:

☒	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☐	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to

	applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared by:	
Signature:	Date:
Printed Name: Carly Nilson	

Reviewed by:	
Signature:	Date:
Printed Name:	

Approved by:	
Signature	Date:
Printed Name:	

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