California Regional Water Quality Control Board
Lahontan Region

Linda S. Adams
Secretary for
Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

May 10, 2007

TO ALL CONCERNED PERSONS AND AGENCIES:

TRANSMITTAL OF A NEGATIVE DECLARATION FOR A WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR GRAZING OPERATORS IN THE BRIDGEPORT AND EAST WALKER RIVER WATERSHEDS, MONO COUNTY

Enclosed please find a negative declaration to be certified by the Water Board at its June 13-14, 2007 meeting in Bishop, California.

Written comments on the proposed negative declaration are due **June 12, 2007**. Please address any comments to the attention of Dr. Bruce Warden of this office.

Should you have any questions or wish to discuss this matter, you may contact Bruce Warden at (530) 542-5416.

Nellie Davidson
Office Technician

Enclosure: Negative Declaration

Form A

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: Waiver of Waste Discharge Requirements for Grazing Operators in the Bridgeport and East Walker River Watersheds

Lead Agency: California Regional Water Quality Control Board, Lahontan Region
Contact Person: Bruce Warden
Mailing Address: 2501 Lake Tahoe Blvd.
Phone: (530) 542-5416
City: South Lake Tahoe Zip: 96150
County: El Dorado

Project Location:

County: Mono City/Nearest Community: Bridgeport Total Acres: up to 56,800
Cross Streets: Hwy 395 & Twin Lakes Road - all all existing livestock grazing lands in Bridgeport Valley Zip Code: 93517
Assessor's Parcel No. all Bridgeport V. grazing opertions Section: 12 Twp. 4N Range: 24E Base: M.D.B & M
Within 2 Miles: State Hwy #: 395 Waterways: Clearwater Cr, Virginia Cr, Green Cr, Long Valley Cr, Swauger Cr, and Robinson Cr
Airports: n/a Railways: n/a Schools: Bridgeport Elem, Eastern Sierra High

Document Type:

CEQA: ☐ NOP ☐ Draft EIR
☐ Early Cons ☐ Supplement to EIR (Note prior SCH # below)
☒ Neg Dec ☐ Subsequent EIR (Note prior SCH # below)
☐ Mit Neg Dec ☐ Other _____

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other _____

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☒ Other Regional Water Board Order

Development Type:

☐ Residential: Units_____ Acres_____
☐ Office: Sq.ft._____ Acres_____ Employees_____
☐ Commercial: Sq.ft._____ Acres_____ Employees_____
☐ Industrial: Sq.ft._____ Acres_____ Employees_____
☐ Educational _____
☐ Recreational _____

☐ Water Facilities: Type_____ MGD_____
☐ Transportation: Type_____
☐ Mining: Mineral _____
☐ Power: Type_____ MW _____
☐ Waste Treatment: Type_____ MGD_____
☐ Hazardous Waste: Type_____
☒ Other: Grazing operation managemnet practices to improve water quality

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☐ Vegetation
☒ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☐ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☐ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☒ Wetland/Riparian
☐ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☐ Growth Inducement
☐ Coastal Zone ☐ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Other _____

Present Land Use/Zoning/General Plan Designation:

Agricultural

Project Description: *(please use a separate page if necessary)*

State Water Resources Control Board 20 May, 2004 Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (NPS Policy) requires that all sources of nonpoint source pollution be regulated through Waste Discharge Requirements (WDR), through waivers to WDRs, or through prohibitions. The Water Board intends to adopt a conditional waiver to Waste Discharge Requirements for existing grazing operations in the East Walker River Watershed (Bridgeport Valley and adjacent tributaries), pursuant to the requirements of the NPS Policy. The purpose of the Waiver is to set conditions for implementation of grazing operation management practices (MPs) which result in improved water quality in receiving waters, which includes lands encompasing Clearwater Creek, Virginia Creek, Green Creek, Long Valley Creek, Swauger Creek, and Robinson Creek Bridgeport (HU Nos. 630.30 and 630.40).

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

_____Air Resources Board
_____Boating & Waterways, Department of
_____California Highway Patrol
_____Caltrans District #_____
_____Caltrans Division of Aeronautics
_____Caltrans Planning
_____Coachella Valley Mountains Conservancy
_____Coastal Commission
_____Colorado River Board Commission
_____Conservation, Department of
_____Corrections, Department of
_____Delta Protection Commission
_____Education, Department of
_____Office of Public School Construction
_____Energy Commission
X Fish & Game Region # 6
_____Food & Agriculture, Department of
_____Forestry & Fire Protection
_____General Services, Department of
X Health Services, Department of
_____Housing & Community Development
_____Integrated Waste Management Board
_____Native American Heritage Commission
_____Office of Emergency Services
X Office of Historic Preservation
_____Parks & Recreation
_____Pesticide Regulation, Department of
_____Public Utilities Commission
_____Reclamation Board
_____Regional WQCB #_____
_____Resources Agency
_____S.F. Bay Conservation & Development Commission
_____San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy
_____San Joaquin River Conservancy
_____Santa Monica Mountains Conservancy
_____State Lands Commission
_____SWRCB: Clean Water Grants
X SWRCB: Water Quality
_____SWRCB: Water Rights
_____Tahoe Regional Planning Agency
_____Toxic Substances Control, Department of
_____Water Resources, Department of
S Other Fish & Game, Reg. 6, Bishop Field Office
_____Other _____

Local Public Review Period (to be filled in by lead agency)

Starting Date May 11, 2007 Ending Date June 12, 2007

Lead Agency (Complete if applicable):

Consulting Firm: n/a
Address: _____
City/State/Zip: _____
Contact: _____
Phone: (____) _____

Applicant: California Regional Water Quality Control Board, Lahontan Region
Address: 2501 Lake Tahoe Blvd.
City/State/Zip: South Lake Tahoe, CA 96150
Phone: (530) 542-5416

Signature of Lead Agency Representative Bruce Warden Date 5-10-07

Authority cited: Section 21083 and 21087, Public Resources Code. Reference: Section 21161, Public Resources Code.

Project Description

Waiver of Waste Discharge Requirements for Grazing Operators in the Bridgeport and East Walker River Watersheds

The Lahontan Water Board (Water Board) finds that the discharge of nonpoint source pollution from agricultural grazing operations, within the Lahontan Region is considered to be a discharge of waste that could affect the quality of waters of the State, as defined in Section 13260 of the California Water Code. Potential water quality degradation from such grazing activities has not been regulated prior to this, but the State Water Resources Control Board 20 May, 2004 *Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program* (NPS Policy) requires that all sources of nonpoint source pollution be regulated through Waste Discharge Requirements (WDR), through waivers to WDRs, or through prohibitions.

The Water Board intends to adopt a conditional waiver to Waste Discharge Requirements for existing grazing operations in the East Walker River Watershed (Bridgeport Valley and adjacent tributaries), pursuant to the requirements of the NPS Policy. The purpose of the Waiver is to set conditions for implementation of grazing operation management practices (MPs) which result in improved water quality in receiving waters.

The grazing waiver will be applicable to all existing grazing operations in the Bridgeport Hydrologic Area (HU No. 630.30) encompassing the East Walker River above Bridgeport Reservoir in the Bridgeport Valley and the East Walker Tributaries Hydrologic Unit (HU No. 630.40) encompassing Clearwater Creek, Virginia Creek, Green Creek, Long Valley Creek, Swauger Creek, and Robinson Creek.

The NPS Policy encourages the Water Board "to be as creative and efficient as possible in devising approaches to prevent or control NPS pollution." This includes development of third-party programs, including coalitions of dischargers, such as the Bridgeport Rancher's Organization (BRO). The BRO has been active in volunteer monitoring of surface water quality and assessment of management practice (MP) effectiveness in the Bridgeport Valley beginning in April of 2006, with assistance from University of California Cooperative Extension (UCCE) staff and input from Water Board staff.

Section 13242 of the California Water Code requires that programs of implementation for achieving water quality objectives shall include, but not be limited to:

(a) A description of the nature of actions which are necessary to achieve the objectives, including recommendations for appropriate action by any entity, public or private.

(b) A time schedule for the actions to be taken.

(c) A description of surveillance (monitoring) to be undertaken to determine compliance with objectives,

Section 13263(c) of the California Water Code further stipulates that time schedules are subject to revision at the discretion of the board.

The grazing waiver will require enrollees to prepare and execute an implementation plan and monitoring plan that does the following:

- States the purpose of the plan such that NPS pollution is addressed in a manner that ultimately achieves and maintains water quality objectives and beneficial uses, including any applicable antidegradation requirements.
- Includes a description of the MPs and other program elements that are expected to be implemented to ensure attainment of the implementation program's stated purpose(s), the process to be used to select or develop MPs, and the process to be used to ensure and verify proper MP implementation.
- Includes a time schedule to achieve water quality requirements, and corresponding quantifiable milestones designed to measure progress toward reaching the specified requirements. The Porter-Cologne Act (CWC §13242[b] and § 13263[c]), the NPS Program Plan, and the NPS Policy recognize that there are instances where it will take time to achieve water quality requirements. The effort may involve all or some of various processes, including: identification of measurable long term and interim water quality goals; a timeline for achieving these goals; identification and implementation of pollution control MPs; provision for maintenance of the implementation actions; provision for additional actions if initial actions are inadequate; and, in the case of third-party organizations, identification of a responsible third-party to lead the efforts.

- Includes sufficient feedback mechanisms (monitoring) so that the RWQCB, dischargers, and the public can determine whether the program is achieving its stated purpose(s), or whether additional or different MPs or other actions are required. It will describe the measures, protocols, and associated frequencies that will be used to verify the degree to which the MPs are being properly implemented and are achieving the program's objectives, and/or to provide feedback for use in adaptive management. These efforts are necessary to determine whether the program is on time and on track in achieving its goals.

Environmental Checklist Form

1. Project title: Conditional Waiver of Waste Discharge Requirements for Grazing Activities in the East Walker River Watershed (Bridgeport Valley and Tributaries) of the Lahontan Region

2. Lead agency name and address:
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150

3. Contact person and phone number:
Bruce Warden, (530) 542-5416

4. Project location:
The following Hydrologic Units/Areas of the Lahontan Region:

Bridgeport Hydrologic Area (HU No. 630.30)
East Walker Tributaries Hydrologic Unit (HU No. 630.40)

5. Project sponsor's name and address:
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Bruce Warden

6. General plan designation: Not Applicable

7. Zoning: Not Applicable

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The Water Board intends to adopt a conditional waiver to Waste Discharge Requirements for existing grazing operations in the East Walker River Watershed (Bridgeport Valley and adjacent tributaries), pursuant to the requirements of the NPS Policy. The purpose of the Waiver is to set conditions for implementation of grazing operation management practices (MPs) which result in water quality improvements and eventual compliance with applicable water quality objectives in receiving waters, including fecal coliform.

Other regulatory options include imposition of WDRs or enforcement of Basin Plan prohibitions. The Water Board can rescind this Waiver and issue WDRs at any time should verification/feedback mechanisms indicate or demonstrate that the program is failing to achieve its stated objectives.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The Waiver will cover existing grazing operations in the East Walker River Watershed (Bridgeport Valley and adjacent tributaries), which is located in a high elevation mountain environment (generally greater than 7,000 feet above mean sea level) near or within sensitive surface waters.

Approximately 87 percent of the total watershed area is classified as forest, shrubland, alpine tundra, meadow, or riparian area. Much of these areas are Federally owned and administered public lands primarily used for outdoor recreation, although portions are leased for livestock grazing. The third largest land use in the watershed, irrigated pasture (9.4 percent), primarily occurs on private land to facilitate livestock production. About 93 percent of the irrigated pasture is concentrated in Bridgeport Valley. The area of the valley is about 230 km^2, or about 30 percent of the Bridgeport Watershed drainage area. Urban development accounts for 0.1 percent of the watershed area, and is almost entirely within the town of Bridgeport.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

No other public agency approvals are required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

	Aesthetics		Agriculture Resources		Air Quality
	Biological Resources		Cultural Resources		Geology /Soils

	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

X 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.

Lauri Kenyon, Division Manager — May 10, 2007

Signature — Date

Signature — Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources

used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
agricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
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?				X
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?				X
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?				X
VII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
VIII. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X
IX. LAND USE AND PLANNING - Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
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?				X
XI. NOISE: Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
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?				X
XV. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project=s solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
XVII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife			X	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
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)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

EXPLANATION OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Aesthetics (I.a and c),
Agricultural Resources (II. c),
Hydrology and Water Quality (VIII a), and
Mandatory Findings of Significance (XVII.a and b)

Less Than Significant Impacts

Aesthetics (I.a and c),

Implementation of improved grazing management practices, such as additional exclusion fencing, hardened livestock water crossings, off-stream livestock watering troughs, etc., may have minor scenic impacts in Bridgeport Valley. Note that all existing grazing facilities currently have substantial amounts of fencing along property borders, separating livestock paddocks, etc., as well as other agricultural management practices implemented on-site. Only existing grazing facilities may receive coverage under this Waiver.

Agricultural Resources (II. c)

Some of the water quality improvement-related grazing management practices anticipated to be implemented under the Waiver may result in minor reduction of land available for grazing, such as riparian areas, filter strips or linear wetlands enclosed by exclusion fencing, etc.

Hydrology and Water Quality (VIII. a)

Several waterbodies within the Bridgeport Hydrologic Area and Bridgeport Valley and the East Walker Tributaries Hydrologic Area (project area) are listed as water quality impaired for pathogens (fecal coliform) under Section 303(d) of the Federal Clean Water Act. These include: Buckeye Creek, East Walker River above Bridgeport Reservoir, Robinson Creek, and Swauger Creek. Livestock grazing operations are the likely source of discharges of fecal coliform to surface waters in the project area. Other regulatory mechanisms available to the Water Board include imposition of Waste Discharge Requirements, enforcement of Basin Plan prohibitions, and adoption and implementation of Total Maximum Daily loads (TMDLs).

Ranches in the Bridgeport Valley have historically utilized a system of water diversions and irrigation ditches to flood irrigate their pastures for about a hundred years. Bridgeport Valley ranchers have water rights to divert 1.6 cfs per 100 acres of irrigated land between 1 March and 15 September, equivalent to four feet (1.2 m) of applied water per irrigation season. Down-valley irrigators are often dependent on return flows from irrigators upstream. A water rights compact requires upstream water users to supply adequate water to down-valley ranches. The flow of any given parcel of water

may travel any number of routes in cross ditches throughout the Bridgeport Valley, making individual responsibility for discharges difficult to track. This suggests that a cooperative group of stakeholders comprised of Bridgeport Valley ranchers may be a more effective mechanism for improving water quality in Bridgeport Valley, rather than each rancher working alone.

Enforcement actions and WDRs do not allow for this kind of cooperation, whereas Waivers to WDRs do allow for third parties, such as the Bridgeport Ranchers Organization (BRO), to oversee cooperative water quality improvements and develop more efficient group water quality monitoring programs. The waiver will put the dischargers on a time schedule to comply with water quality objectives, phased similarly to a TMDL implementation plan, but much more timely and efficient, since TMDLs require substantial time and staff resources to adopt. Therefore the Waiver provides a mechanism for compliance with water quality objectives that is more effective and more timely than the other regulatory option available.

Mandatory Findings of Significance (XVII.a and b)

Improved grazing management required under this Waiver may have certain indirect, less than significant impacts that cannot be predicted at this time. Anticipated types of less than significant impacts are short-term in nature such as minor soil disturbance associated with construction of: hardened livestock water crossings, trenches associated with pipes connecting to off-stream livestock watering facilities, post holes for new livestock exclusion fencing, soil shaping for new linear wetlands, grassed filter strips, etc. It is anticipated that long-term indirect impacts and cumulative will likely be positive rather than adverse (e.g. improved local and downstream water quality, reduced soil erosion, etc.).