California Environmental Quality Act
(CEQA)

INITIAL STUDY
AND MITIGATED NEGATIVE DECLARATION

for

CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM AGRICULTURAL OPERATIONS (CWAD)

IN THE SAN JACINTO RIVER WATERSHED

May 4, 2015

California Regional Water Quality Control Board, Santa Ana Region

3737 Main Street, Suite 500

Riverside, CA 92501

Prepared By:

California Regional Water Quality Control Board, Santa Ana

Contact:

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A. Project Description

1. *Project Title:*

   Conditional Waiver of Waste Discharge Requirements for Discharges from Agriculture Operations in the San Jacinto River Watershed ("CWAD"); tentative Order No. R8-2015-0019)

2. *Lead Agency Name and Address:*

   California Regional Water Quality Control Board, Santa Ana Region
   3737 Main Street, Suite 500,
   Riverside, CA 92501

3. *Contact Person Name and Phone Number:*

   Imtiaz-Ali Kalyan 951-782-3219

4. *Project Location:*

   San Jacinto River Watershed, Riverside County

5. *Project Sponsor's name and address*

   California Regional Water Quality Control Board, Santa Ana Region
   3737 Main Street, Suite 500,
   Riverside, CA 92501

6. *General Plan designation:* not applicable.

7. *Zoning*: not applicable

8. *Description of Project:*

   The project is the adoption and implementation of a conditional waiver of waste discharge requirements (CWAD (pronounced "quad")) for waste discharges from existing farming, livestock and other agricultural operations within the San Jacinto River Watershed in Riverside County ("Project Area") to waters of the state. The San Jacinto River Watershed includes the San Jacinto River and its tributaries and Canyon Lake and Lake Elsinore and the tributaries to these lakes. The project will establish conditions for the discharge of wastes from agricultural operations in the Project Area to groundwater and surface waters.

   The San Jacinto River Watershed includes approximately 80,000 acres of land that are used for agriculture, including irrigated agriculture and livestock operations. At this time, in the Project Area, it is estimated that there are fewer

than 100 agricultural operations of at least 20 acres that discharge waste, or that have the potential to discharge waste, to waters of the state. The number and acreage of agricultural operations is decreasing as land in agriculture gives way to urban land uses.

For the purposes of this CWAD, agricultural operations include irrigated agriculture and otherwise unregulated livestock operations on 20 or more cumulative acres within the Watershed, and other agricultural operations, irrespective of size, that Regional Board staff finds to be a high risk for impacting the water quality and beneficial uses of the waters of the state.
The purpose of the CWAD program is to control the discharge of pollutants in agricultural waste discharges so that the water quality standards of the receiving waters are protected. To meet that purpose, the proposed CWAD (tentative Order No. R8-2015-0019) requires enrollees to: implement Best Management Practices to improve the quality of the waste discharged from agricultural operations; monitor the water quality effects of discharges from these operations on waters of the state and assess the efficacy of implemented BMPs; and, mitigate the effects of their discharges as necessary. The specific BMPs that are and will be employed at each agricultural operation that would be regulated under the CWAD are not known at this time, since it is expected that the BMPs selected for each site will be tailored to meet site-specific needs. However, it is expected that one or more of the following BMPs will be employed at the regulated agricultural operations:

- Filter strips/buffer strips
- Smart Irrigation/Micro-irrigation (drip)
- Sprinklers
- Cover crops
- Conservation crop rotation
- Conservaton Cover; Mulching/Residue Management/Till Practices
- Pest management/Weed control
- Polyacrylamide (PAM) application
- Nutrients management
- Sediment ponds
- Tail water recovery
- Outreach and education

A detailed description and discussion of the proposed CWAD is provided in the staff report accompanying tentative Order No. R8-2015-0019. The staff report and tentative Order can be found at:
[http://www.waterboards.ca.gov/santaana/water_issues/programs/planning/ag_waiver.shtml]

The CWAD represents a more stringent level of regulatory oversight than is currently in place.

9. Surrounding Land Uses and Setting:

The Project Area is the watersheds of the San Jacinto River and Canyon Lake, and Lake Elsinore, which rise in the San Jacinto Mountains and the Santa Ana Mountains, respectively, both parts of the system of southern California's Transverse Ranges associated with the San Andreas Fault zone. The Project Area is seismically active: the San Jacinto Fault is prominent along the northerly side of the Jacinto River Valley, while the Elsinore Fault marks the southern side of valley where Lake Elsinore is located. This San Jacinto Fault has produced destructive earthquakes during the last 125 years. The area is subject to a Mediterranean climate.

The Project Area includes residential, commercial and industrial land uses of varying densities, agricultural land uses, and dedicated open space under the control of several public agencies including the U.S. Forest Service, the California Department of Fish and Wildlife, and the Riverside Conservation Authority. Much of the land that is currently used for agriculture is slated for development with zoning for residential, public use buildings, schools and parks, and commercial and industrial uses. The Project Area is crossed by right of ways controlled by Metropolitan Water District of Southern California, Southern California Edison, Sempra Energy, California Department of Transportation, and the Riverside County Flood Control and Water Conservation District, among others.

The Project Area covers some 780 square miles. The principal waters of the Project Area include the approximately 60 mile long San Jacinto River that empties into Lake Elsinore, and Lake Hemet and Canyon Lake, both reservoirs on the San Jacinto River. Because of water diversions and storage, and generally dry climatic conditions, the San Jacinto River's main valley reaches (between elevations 1800' and 1450') have intermittent flow; other reaches and tributaries include both perennial and intermittent sections. Beneficial uses of these waters, as designated in the Basin Plan, include: groundwater recharge; contact and non-contact water recreation; warm water habitat; cold water habitat; wildlife habitat; and spawning. Groundwater management zones recharged by these waters have the following beneficial uses: municipal, agricultural, industrial and process supply. Not all these waters support all these uses. Lake Perris, the terminal reservoir of the State Water Project, is also in the Project Area.

10. Other Public Agencies whose approval is required:

No other public agency approvals are required.

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Aesthetics	Agriculture and Forestry Resources
Air Quality	**X** Biological Resources
Cultural Resources	Geology /Soils
Greenhouse Gas Emissions	Hazards & Hazardous Materials
Hydrology / Water Quality	**X** Land Use / Planning
Mineral Resources	Noise
Population / Housing	Public Services
Recreation	Transportation/Traffic
Utilities / Service Systems	**X** Mandatory Findings of Significance

C. LEAD AGENCY 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.

X 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 ENVIRONMENT 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 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.

Kurt V. Berchtold, Executive Officer

5/5/15
Date

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D. EVALUATION AND DISCUSSION OF ENVIRONMENTAL EFFECTS

The Environmental Checklist and discussion that follows is based on sample questions provided in the CEQA Guidelines[1] (Appendix G) which focus on various individual concerns within 17 different broad environmental categories, arranged in alphabetical order. The Guidelines also provide specific direction and guidance for preparing responses to the Environmental Checklist. Each question in the Checklist requires a "yes" or "no" reply as to whether or not the project will have a potentially significant environmental impact of a certain type, and, following a Checklist table with all of the questions in each major environmental heading, citations, information and/or discussion that supports that determination. The Checklist table provides, in addition to a clear "yes" reply and a clear "no" reply, two possible "in-between" replies, including one that is equivalent to "yes, but with changes to the project that the proponent and the Lead Agency have agreed to," and another equivalent to "no" that requires a greater degree of discussion, supported by citations and analysis of exiting conditions, threshold(s) of significance used and project effects than required for a simple "no" reply. Each possible answer to the questions in the Checklist, and the different type of discussion required, is discussed below:

Potentially Significant Impact. Checked if a discussion of the existing setting (including revenant regulations or policies pertaining to the subject) and project characteristics with regards to the environmental topic demonstrates, based on substantial evidence, supporting information, previously prepared and adopted environmental documents, and specific criteria or thresholds used to assess significance, that the project will have a potentially significant impact of the type described in the question.

Less Than Significant With Mitigation. Checked if the discussion of project characteristics, also adequately supported with citations of relevant research or documents, determine that the project clearly will or is likely to have particular physical impacts the given threshold or criteria by which significance is determined, but that with the incorporation of clearly defined mitigation measures into the project, that the project applicant or proponent has agreed to, such impacts will be avoided or reduced to less-than-significant levels.

Less Than Significant Impact. Checked if a more detailed discussion of existing conditions and specific project features, also citing relevant information, reports or studies, demonstrates that while some effects may be discernible with regard to the individual environmental topic, the effect would not exceed a threshold of significance which has been established by the Lead or Responsible Agency. The discussion may note that due to the evidence that a given impact would not occur or would be less than significant, no mitigation measures are required.

No Impact. Checked if brief statements (one or two sentences) or cited reference materials (maps, reports or studies) clearly show that the impact type could not be reasonably expected to occur due to the specific characteristics of the project or its

location (e.g., the projects falls outside an area subject to tsunami, and relevant citations are provided). The referenced sources may also show that the impact simply does not apply to projects like the one involved. A response to the question may also be "No Impact" with a brief explanation that the basis is adequately supported by project specific factors or general standards.

1. *Aesthetics*

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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***	

Discussion: Would the project have any of the effects identified in parts a) through d):

a) – d). *Less than significant Impact*. None of the reasonably foreseeable measures that may be needed to implement and comply with the CWAD would substantially alter any scenic vistas, damage scenic resources, degrade the existing visual character of any site, or result in a new source of substantial light or glare that would adversely affect day or nighttime views. Implementation of the CWAD is likely to require the construction, operation, and periodic maintenance of certain BMPs that may have the potential to affect the environment (e.g., buffer/filter strips, sediment ponds, installation of drip-irrigation systems). However, these activities would result in very minor and, in most cases, short-term, land disturbances that would not substantially affect the character of the agricultural land in the Project Area or its scenic characteristics. There are no scenic highways in the area of agricultural lands addressed by the CWAD. None of the reasonably foreseeable BMPs would require or constitute a new, substantial source of light or glare.

2. Agricultural Resources

In determining whether impacts to agriculture resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**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 a non-agricultural use?				x
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				x
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526)?				x
d) Result in the loss of forest land or conversion of forest land to non-forest use?				x
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?				x

***Background**:* The central San Jacinto River Valley of the Project Area has supported agricultural operations for over 100 years. Adoption and implementation of the CWAD is intended to assure that existing and new agricultural operations in the Project Area protect water quality through the use of the most appropriate management practices. The CWAD would not result in zoning or land use changes.

***Discussion**:* 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 a non-agricultural use?

No Impact. The project will not result in converting Prime or Unique Farmland of Farmland of Statewide Importance to non-agricultural use. Small amounts of agricultural land within the Project area may be dedicated to management practices needed to support the agricultural operations by complying with the CWAD Program

rather than being directly farmed or used for livestock operations. These implemented BMPs are considered an integral part of the agricultural operations since they allow for continued agricultural operations while ensuring the protection of affected receiving waters.

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

No Impact. Implementation of the CWAD will entail the implementation of management practices at existing and future agricultural operations and will not require or result in a change in zoning or affect 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)) or timberland (as defined by Public Resources Code section 4526)?

No impact. There will be no effect with respect to zoning of forest or timber lands. The proposed CWAD is directed to regulation of waste discharges from agricultural lands, not to zoning or land use changes, including on forest or timber lands.

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

No impact. The project will have no effect on forest land, but will regulate agricultural operations on land that has for a long period been designated for agricultural 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?

No Impact. Implementation of the Project will not result in conversion of farmland to non-agricultural uses. As stated, in (a), above, there may be minor alterations of farmlands to support BMP implementation, but the extent of such modifications would not be significant. These potential modifications would be intended to protect water quality while supporting the agricultural operation by providing a method of compliance with the CWAD.

3. Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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 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 that 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

***Background**:* The Project Area is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD), which develops and adopts an Air Quality Management Plan for attainment of federal and state clean air standards. The South Coast area is a nonattainment area for particulate matter and ozone. Controls on NOx, SOx, volatile organic compounds, and other air-borne pollutants that are or may be particulate matter and ozone precursors are required. The Air Quality Management Plan is implemented via rules that apply to various sources, including confined animal facilities and internal combustion engines used in the production of crops or raising of fowl or other animals. These rules may require written permits issued to various sources.

Approval of the CWAD is expected to necessitate the implementation of new/revised BMPs at agricultural operations in the project area. Some of these BMPs (e.g., buffer /filter strips, sediment ponds, drip irrigation systems) may require initial construction and subsequent periodic maintenance, which could result in short-term, small scale releases of dust and vehicle tailpipe releases. However, these BMPs would not be expected to have continual potential for air quality impact during their operational lifetime. Other BMPs such as education and outreach, for example, would have no direct air quality

environmental impact. BMPs such as crop rotation and mulching/tilling practices may entail new practices or, more likely, may result in modification of existing practices. Such modifications may reduce or increase land and crop manipulation and thus reduce or increase the use of requisite agricultural equipment/engines that may be direct and indirect sources of air emissions (dust/tailpipe emissions). In sum, the construction and operation of some BMPs may result in or necessitate dust and air emissions associated with machinery/vehicle-tailpipe emissions. These effects would be largely short-term in nature during construction; any ongoing emissions are expected to be an insignificant part of and comparable to those associated with normal, existing agricultural operations. BMPs implemented at livestock operations may result in the reduction of air emissions as these operations, and wastes associated with them, are managed to prevent water quality impacts and reduce nuisance conditions, including odors.

Discussion: Would the project:

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

No impact. A project would conflict with or obstruct implementation of a regional air quality management plan if it would be inconsistent with the growth assumptions of the plan in terms of population, employment or regional growth in vehicle miles traveled. The growth assumptions are based on the assumptions provided in local general plans.

Here, the project would not be growth inducing because it would not cause an increase in vehicle miles traveled or somehow cause growth patterns inconsistent with local general plans. Rather, at most, the project might cause a slight increase in emissions from existing agricultural operations as the agricultural operators implement and maintain the BMPs required by the CWAD. This would not conflict with, or cause obstruction of, the implementation of a regional air quality management plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation

Less than significant impact.
Construction and maintenance of BMPs at agricultural operations could result in small-scale earth moving that could generate dust. In addition, engines of equipment used for such earth moving will generate emissions typical for that equipment. These construction and periodic maintenance-related activities could result in short term, localized impacts. Ongoing operation of some BMPs (e.g., crop rotation, mulching/tilling and residue management, tail water recovery and re-use operations) may result in dust/particulate matter or other types of emissions (e.g, equipment tailpipe emissions). However, it is likely that the nature of these BMPs will be modification of existing, similar or equivalent management practices at agricultural operations in order to enhance their efficacy and reduce potential water quality related impacts. Thus, there would be little if any additional impact associated with these revised practices. Implementation of new BMPs of this type would be expected to have less than significant impacts, , given their periodic and short-term nature.

c) Result in a cumulatively 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 that exceed quantitative thresholds for ozone precursors).

Less than significant impact.
See response 3.b). Particulate and ozone precursors may be released as the result of the implementation/ongoing operation of BMPs at agricultural operations. However, these releases are generally expected to be short-term and periodic in nature and therefore may result in only minor modifications of releases associated with ongoing management practices.

d) Expose sensitive receptors to substantial pollutant concentrations?

No impact. Implementation of the CWAD would not result in changes in exposure of sensitive receptors to substantial pollutant concentrations. Facilities regulated by the CWAD are in rural areas zoned for agriculture, and away from schools, hospitals, and other sensitive land uses, and residential uses that are in areas zoned for agriculture are low density and widely dispersed. Minor construction and periodic maintenance activities to implement the program could result in temporary, short-term increases of dust and other air emissions in the vicinity of the construction. However, since construction will be taking place at agricultural operations that are located far from any sensitive receptors, the receptors would not be exposed to substantial pollutant concentrations from these activities. Furthermore, it is likely that the nature of these BMPs will be modification of existing, similar or equivalent management practices at agricultural operations in order to enhance their efficacy and reduce potential water quality related impacts. Thus, there would be little if any additional impact associated with these revised practices.

e) Create objectionable odors affecting a substantial number of people?

No impact. No objectionable odors that could affect a substantial number of people would be created as the result of the reasonably foreseeable compliance measures. The CWAD would be implemented in rural, agricultural areas, with a widely dispersed, low density population. Implementation would not result in odors significantly different than those that are typical in the Project Area. BMPs implemented to comply with the CWAD at enrolled livestock operations are likely to result in reduced odors in order to prevent nuisance conditions, as the proposed CWAD requires. Additionally, it is likely that the nature of these BMPs will be modification of existing, similar or equivalent management practices at agricultural operations in order to enhance their efficacy and reduce potential water quality related impacts. Thus, there would be little if any additional impact associated with these revised practices.

4. Biological Resources

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**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 Wildlife or U.S. Fish and Wildlife Service?		**x**		
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 U.S 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 provision of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		**x**		

***Background**:* The CWAD would regulate operations on agricultural lands within the San Jacinto River Watershed in western Riverside County. Enrolled agricultural operations would be required, in part, to implement BMPs to control waste discharges and prevent adverse impacts to surface and groundwater resources and the beneficial uses of these resources, including the support of animals and their habitats.

The San Jacinto River Watershed is part of the ~1.26 million acre area covered by the Multiple Species Habitat Conservation Plan (MSHCP), which was adopted to protect 146 native species of plants and animals[2] and to preserve a half million acres of their habitat[3]. The MSHCP constitutes a highly ambitious environmental protection endeavor and resulted from a comprehensive effort (Riverside County Integrated Project (RCIP)) to shape the future of Riverside County, recognizing the challenges of rapid population growth, increased traffic/traffic congestion and the listing of species as threatened or endangered by development. The intent of the RCIP/MSHCP is to provide guidance on development that would accommodate economic growth while protecting the environment and planning for future transportation needs.

The MSHCP was adopted by Riverside County and the cities of Banning, Beaumont, Canyon Lake, Corona, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murrietta, Norco, Perris, Riverside, San Jacinto, Temecula and Wildomar. The Riverside County Flood Control and Water Conservation District, Riverside County Parks and Open Space District, Riverside County Waste Management Department, Riverside County Transportation Commission, California Department of Transportation and the California Department of Parks and Recreation also participated. All of these entities are considered to be parties to the implementing agreement for the MSHCP.
The cities and Riverside County signed a joint powers agreement that formed the Western Riverside County Regional Conservation Authority (RCA) in 2004. RCA's responsibility is to help the local cities and the County implement the MSHCP. RCA's operations are governed by the cities and the County.

The role of agriculture in western Riverside County was thoroughly considered during the development of the MSHCP. The Riverside County Farm Bureau and County of Riverside entered into an agreement to insure that the MSHCP would not adversely impact agriculture and to allow for an agreed amount of new agricultural land to be able to enter production with coverage under the MSHCP.

Long-term permits were issued in 2004 by the U.S. Fish and Wildlife Service (Federal Fish and Wildlife Permit #TE088609-0) and the California Department of Fish and Wildlife (Natural Community Conservation Plan permit) to authorize the acquisition and management of reserves within the MSHCP, including conditions for the incidental take of threatened and endangered species.

Of the 1.26 million acres covered by the MSHCP, 500,000 acres (40%) is designated for preservation. Of that half million acres, 347,000 acres (69%) is already conserved as public or quasi-public land. The acquisition of the remaining acreage is one of the most important activities of the RCA. RCA also monitors development/habitat loss within the MSHCP, conducts the joint review process for applications for infrastructure or development projects, monitors protected species, and manages the lands it acquires.

[2] The species addressed by the MSHCP are identified in the Federal Fish and Wildlife Permit (#TE088609-0) issued by US. Fish and Wildlife Service on June 22, 2004.
[3] Detailed information concerning the MSHCP and RCA can be found at and through the RCA website: www.wrc-rca.org.

Any individual, business, or public agency wishing to construct a project (residential, commercial and industrial developments), within certain areas ("criteria cells") covered by the MSHCP must complete a reserve assembly and consistency review process done by the local agency responsible. That review is submitted to the RCA for concurrence. RCA staff completes a checklist of actions necessary for each project, including requirements for the protection of habitats and requirements for biological surveys. Comments prepared by RCA staff based on this review are forwarded to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW). Discussions are held among RCA, the local agency, the project proponent and the wildlife agencies to resolve concerns and to develop any conditions of approval. If a mutually agreeable solution cannot be reached, the USFWS and CDFW can suspend the parts of their permits that allow the projects to proceed.

Agricultural operations within the San Jacinto River watershed lie within the MSHCP but are largely exempt from its requirements. Nevertheless, these operations may include or lie adjacent to waters of the United States and waters of the state, including vernal pools, that are subject to the regulatory authorities of the Regional Board, the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service. These waters support, or have the potential to support biological resources, including endangered species and their habitats, at least some of which have been identified in the MSHCP.

Discussion: 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?*
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 U.S Fish and Wildlife Service?*

Less than significant with mitigation. Approval of the CWAD is expected to necessitate the implementation of new/revised BMPs at agricultural operations in the Project Area. Minor, small scale grading and construction and periodic maintenance activities may be needed for some of these BMPs. Because of their limited anticipated scope, and because in most cases the BMPs would be implemented at already existing agricultural operations, these projects are not expected to have a substantial, if any, adverse effect on plant or animal species of concern, either directly or indirectly through habitat modification/loss. Nor are these activities expected to substantially affect riparian or other sensitive natural habitat communities. However, there remains the potential that BMPs could be proposed for sensitive areas at agricultural operations, and that BMP implementation in these areas could adversely affect plant and animal species and their habitats, including riparian and other sensitive natural communities. This would be contrary to the protection of wildlife-related beneficial uses, and to the extraordinary effort of the MSHCP to preserve biological resources.

Therefore, it is appropriate to review proposed BMPs, in coordination with appropriate agencies as needed to assure that the BMPs would not result in significant adverse impacts. The proposed CWAD addresses this matter as follows. First, the Notice of Intent requires each agricultural operator seeking enrollment in the CWAD to indicate whether their operation includes or lies adjacent to waters of the U.S./state, including vernal pools. If so, then Regional Board staff will review the BMPs proposed to assess the likelihood of impacts to biological resources. Where there is the potential for such impacts, Board staff will coordinate with the agricultural operators and the wildlife agencies, as needed, to determine whether and what special measures, including avoidance, are necessary and reasonably feasible to prevent adverse impacts. Agricultural operators will be required to implement these special measures as part of a Water Quality Improvement Plan that the Executive Officer is authorized to require pursuant to the CWAD. Incorporation of these provisions in the CWAD mitigates potential adverse impacts to species of concern and riparian/sensitive habitats to less than significant.

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?

Less than significant impact with mitigation. No substantial adverse impacts to wetlands or other federally projected waters will occur provided that the agricultural operators comply with conditions imposed by the Regional Board, USFWS, CDFW and the U.S. Army Corps of Engineers via the federal Clean Water Act Section 404/401 permitting and water quality standards certification process, under waste discharge requirements issued pursuant to the California Water Code, and any requirements imposed by CDFW pursuant to the Fish and Game Code. Compliance with these requirements is included as a provision of the proposed CWAD and this provision renders any potential impact less than significant.

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?

No impact. The California Department of Fish and Wildlife's San Jacinto Wildlife Area is in the Project Area. The Davis Unit of the SJWA is maintained and operated primarily for the benefit of resident and migrating avian species and sensitive plant species, while the Potrero Unit supports resident populations of a wide variety of upland avian and terrestrial wildlife species. Installation of any management measures by agricultural operators to comply with and implement the CWAD would take place on established agricultural land, some of which adjoin the SJWA. Management measures could involve minor construction or earth moving activities that would be similar to existing agricultural operations. These actions would not add to the interference of wildlife movement already caused by the existing operations, and would have no impact.

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

No impact. Actions needed to comply with the CWAD would likely be similar to existing agricultural operations so that there would not be conflicts with local ordinances or policies.

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

Less than significant with mitigation. The Project Area is covered by Western Riverside County Multi-Species Habitat Conservation Plan, 2004 (MSHCP), being implemented by the Western Riverside County Regional Conservation Agency (RCA), and the 19 local agencies who signed the joint powers agreement that governs the RCA and adopted the plan. The purpose of the MSHCP is to protect 146 native plant and animal species and preserve their habitat. Parts of some agricultural operations in the project area fall within MSHCP Criteria Areas that are scheduled to be acquired by the RCA to implement the plan. Implementation of the CWAD would not preclude acquisition of these lands by the RCA and thereby conflict with the MSHCP. No changes would result from CWAD implementation that would be in conflict with the MSHCP, or other habitat conservation plans. As discussed in the response to 4 a) and b), the draft CWAD requires review of site-specific BMP implementation to assure that there are no impacts to biological resources, including species/habitats addressed by the MSHCP.

5. Cultural Resources

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historic resource as defined in CEQA Guidelines section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines section 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 in formal cemeteries?				X

***Background**:* Prior to European exploration and settlement, the Project area was inhabited by bands of the indigenous Cahuilla Tribe, linguistically related to other tribes of the American southwest. Spanish explorers were in the area in the late 1700s, and farming and ranching in the area began in earnest in the last half of the1800s. The City of San Jacinto, central in the Project area, was founded in 1870.

***Discussion*:** Would the project:

a) Cause a substantial adverse change in the significance of a historic resource as defined in CEQA Guidelines section 15064.5?

No impact. Implementation of the proposed CWAD program could involve small scale, minor construction and grading at established agricultural operations that have already been disturbed by human activity, not within areas containing historic resources, as defined in CEQA Guidelines 15064.5. Therefore the project will have no impact.

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

No impact. Implementation of the proposed CWAD program could involve small scale, minor construction and grading at established agricultural operations that have already been disturbed by human activity, and not in areas containing archeological resources, as defined in CEQA Guidelines 15064.5. Therefore the Project will have no impact on archeological resources.

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

No impact. Implementation of the proposed CWAD program could involve small scale, minor construction and grading at established agricultural operations that have already been disturbed by human activity, and not in areas of known paleontological resources. None of the potential activities needed to implement the proposed CWAD program would cause change to the significance of a unique geologic feature. There would be no impact to unique paleontological or geological resources.

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

No impact. Implementation of the CWAD could involve small scale, minor construction and grading at established agricultural operations that have already been disturbed by human activity, and not in areas of known human remains. No remains are reported to be at agricultural operations where potential CWAD implementation activities would occur, and therefore the project will have no impact.

6. Geology and Soils

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				x
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 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 loss of topsoil?				*X*
c) Be located on a geologic unit or soil that is 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?				x

Background The Project Area includes parts of the southern California's Transverse Ranges and their intervening valleys, an active zone of tectonic deformation associated with the San Andreas Fault system and geologically highly complex. The Project Area's predominant geologic features include the San Jacinto and Santa Ana Mountains; the

roughly parallel Elsinore and San Jacinto Faults that traverse the Project Area and grabens associated with these faults that are occupied by Lake Elsinore and Mystic

Lake, respectively; structural blocks of the southern California batholith, particularly the Perris block in the central part of the area; and, the San Timoteo badlands. Both the Elsinore and San Jacinto Faults are capable of strong earth movement.

Discussion: 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 based or other substantial evidence of a known fault?*

No impact. The reasonably foreseeable BMPs that might be implemented in response to the adoption of the CWAD would have no effect on the exposure of people or structures to the potential consequences of an earthquake. These BMPs would not necessitate the construction of habitable structures. Any industrial structures would be designed and constructed in accordance with applicable seismic design standards and with local building codes.

> *ii) Strong seismic ground shaking?*

No impact. Refer to response to 6.a.i), above.

> iii) Seismic related ground failure, including liquefaction?

No impact. Refer to response to 6.a.i), above.

> iv) Landslides*?*

No impact. Refer to response to 6.a.i), above.

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

*No impact. S*mall-scale, short duration earthmoving projects to construct measures needed to comply with CWAD program are reasonably foreseeable but are not yet precisely known. Because of their scale and purpose, they would not result in substantial soil erosion or loss of topsoil. To the contrary, to support agricultural operations and to prevent adverse impacts to water quality and beneficial uses, the BMPs would be expected to be designed to prevent substantial soil erosion or loss of topsoil. Compliance projects involving construction on one acre or more would be subject to review and approval by the Regional Board, and would be required to comply with applicable parts of the State Water Board's general NPDES permit for construction

activities[4]. Compliance projects carried out at as part of routine operations at established agricultural facilities are exempt from such permitting. All compliance projects would also be subject to non-discretionary requirements of the County of Riverside's grading ordinance and SCAQMD's construction dust control program.

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

No impact. Project implementation would not result in instability of a geologic unit or unstable soils. No foreseeable activities that would be taken to comply with the CWAD program would potentially result in 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?

No impact. Facilities constructed to comply with the Project would be located in areas of well-drained sandy loam soils with little or no clay content, and such soils are not expansive. There is no risk to life or property that would be created because of the absence of expansive soils in the Project Area.

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?

No impact. Soils in the project are capable of supporting use of septic tanks and subsurface wastewater disposal systems. Project implementation would not require construction of such facilities.

7. Greenhouse Gas Emissions

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

[4] State Water Resources Control Board Order 2009-0009-DWQ

***Background**:* The California Global Warming Solutions Act of 2006 requires the California Air Resources Board to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective greenhouse gas (GHG)

emissions are reduced to 1990 levels by 2020 (representing an approximately 20% reduction in emissions).

Discussion: Would the project:

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

Less than significant impact. See response 3.b). The construction, maintenance and operation of certain types of BMPs may result in emissions from vehicle/equipment tailpipe emissions. These impacts are expected to be short-term and localized. . Dairies, which have the potential to produce significant GHG, will not be regulated under the CWAD. Other livestock operations that would be regulated under the CWAD will be required to implement BMPs designed to reduce nuisance conditions, including odor-producing GHG emissions.

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

Implementation of the CWAD program is not in conflict with the Draft Riverside County Climate Action Plan, 2014, which proposes a comprehensive program for managing GHG, or with known GHG reduction programs, such as SCAQMD's Rule 2702 GHG Reduction Program, 2010, to fund implementation of GHG reduction projects.

8. Hazards and Hazardous Materials

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**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?				X
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

Background: Agricultural operations that will be subject to the CWAD program may routinely use insecticides, herbicides or other classes of toxic, and therefore hazardous, materials in their pest control practices. All such products that contain these materials

are evaluated for potential hazards by the Department of Pesticide Regulation and the use of these products is subject to regulations under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). DPR sets conditions necessary for the safe use of these products, and FIFRA regulations require that these conditions appear on the product label. Agricultural operators that employ these materials are required to comply with these conditions. Construction of facilities/BMPs needed to comply with the CWAD will not involve the additional use or transportation of any hazardous materials other than construction materials, fuels, and lubricants in common use.

Discussion: Would the project:

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

No impact. CWAD implementation would not affect the transportation or potential release or emission of hazardous materials or create any environmental hazard beyond those that already exist.

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?

No impact. Refer to response to 8.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?

No impact. Refer to response to 8.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?

No impact. Refer to response to 8.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 for people residing or working in the project area?

No impact. Hemet-Ryan Airport, a general aviation public airport, is located in the Project Area., However no agricultural operations that would be subject to the CWAD are located within the area of this airport's land use plan area. The implementation of BMPs in response to the CWAD would not result in an airport- or aircraft-related safety hazard for people in the area of the airport.

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?

No impact. Refer to response to 8.e), above.

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

No impact. The project entails the implementation of BMPs at agricultural sites and would not impair or interfere with emergency response or evacuation plans.

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?

No impact. CWAD Program implementation will not expose people or structures to risk resulting from wildfires.

9. Hydrology and Water Quality

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements?				x
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of the 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)?				x
c) Substantially alter the existing drainage pattern of the site or area, including through the alternation 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 alternation 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 system 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

***Background**:* The Project Area encompasses the watersheds of the San Jacinto River and Lake Elsinore, an area of some 780 square miles. Should the San Jacinto River fill Lake Elsinore to overflowing, the discharge would be carried by Temescal Creek to the Santa Ana River, which empties into the Pacific Ocean south of the city of Huntington Beach. The highest peak flow recorded on the San Jacinto River above Lake Elsinore is 16,000 cfs (1927); the long-term annual average flow rate is 16 cfs. Two reservoirs on the San Jacinto River, Lake Hemet, on one of the river's headwaters streams, and Railroad Canyon Reservoir, or Canyon Lake, several miles above Lake Elsinore on the river's main stem, impound river flow, originally for agricultural supply and later to support urban land uses. The ephemeral Mystic Lake forms in the central San Jacinto River Valley when unusually heavy snow pack in the river's headwaters melts. The melt water overfills Lake Hemet, spills over the Lake Hemet Dam into the south fork of the San Jacinto River, and eventually reaches the San Jacinto Fault graben area where Mystic Lake appears. Mystic Lake will persist for several years following one of these infrequent (every 12 years, on average) events before disappearing due to infiltration and evaporation.

Groundwater in the Project Area is extensively developed and managed for quantity and quality. Supplemental water is delivered to the Project Area by both the State Water Project[5] and the Colorado River Aqueduct[6] for direct use and for storage.

Discussion: Would the project:

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

No impact. The purpose of the CWAD program is to establish a regulatory program that will assure that water quality standards are met.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of the 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)?

No impact. Implementation of the CWAD program would not include material changes to existing groundwater production or groundwater management practices of the area in any foreseeable manner and would have no impact on aquifer volumes or water tables. CWAD implementation would not include activities that would substantially interfere with local groundwater recharge, supply or production.

[5] The State Water Project operated by the California Department of Water Resources.
[6] The Colorado River Aqueduct is owned and operated by the Metropolitan Water District of Southern California.

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

No impact. Implementation of the CWAD could result in small scale alterations of localized drainage patterns within the Project Area; any such alterations would not substantially alter drainage patterns or any watercourse. Foreseeable drainage alterations would be limited to sites of established agricultural operations, although no such alterations have been identified. The Project would not increase the area of impervious surfaces or surface runoff rates, and would not result in substantial erosion or siltation on or off the site, or flooding in the Project Area.

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?

No impact. By design, the CWAD is intended to reduce pollutants in runoff to receiving waters. Specific measures that may be taken by operators of agricultural facilities to implement the project would likely retain runoff, and would not result in exceeding the capacity of existing or planned drainage systems. Therefore, the project would not cause the capacity of existing flood control or drainage facilities to be exceeded or increase sources of polluted runoff.

f) Otherwise substantially degrade water quality?

No impact. By design, the project would improve water quality.

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

No Impact. The project would not result in the construction of housing.

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

No impact. BMP implementation to comply with the CWAD would not result in construction of structures within a 100 year flood zone that would impede or redirect flood flows.

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

No impact. BMP implementation to comply with the CWAD would not involve construction or modification of dams or levees. BMPs may entail the construction of

ponds and levees, but not at a scale sufficient to expose people or structures to significant risk due to flooding.

j) Inundation by seiche, tsunami, or mudflow?

No impact. The CWAD applies to agricultural operations far inland, where inundation by tsunamis cannot occur. Project implementation activities will not take place on, or adjacent to, lakes or other waters where seiches could affect them, and there are no known mudflow hazards in the Project area.

10. Land Use and Planning

Would the project:				
a) Physically divide an established community?				x
b) Conflict with any applicable land use plan, policy, or regulations 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***		

***Background**:* Project implementation would take place on lands zoned for agricultural uses; in some cases implementation would occur on lands zoned for other purposes on which agricultural operations take place. No land use changes would be triggered by the adoption or implementation of the CWAD.

As discussed in **4. Biological Resources**, the project area lies within the area covered by the Multiple Species Habitat Conservation Plan (MSHCP), which was adopted to protect 146 native species of plants and animals and to preserve a half million acres of their habitat. The MSHCP was adopted by Riverside County and the cities of Banning, Beaumont, Canyon Lake, Corona, Hemet, Lake Elsinore, Menifee, Moreno Valley, Murietta, Norco, Perris, Riverside, San Jacinto, Temecula and Wildomar. The Riverside County Flood Control and Water Conservation District, Riverside County Parks and Open Space District, Riverside County Waste Management Department, Riverside County Transportation Commission, California Department of Transportation and the California Department of Parks and Recreation also participated.

The cities and Riverside County signed a joint powers agreement that formed the Western Riverside County Regional Conservation Authority (RCA) in 2004. RCA's responsibility is to help the local cities and the County implement the MSHCP. RCA's operations are governed by the cities and the County.

Discussion: Would the project:

a) Physically divide an established community?

No impact. Actions needed to implement the CWAD would be located on or adjacent to agricultural operations and in rural areas and would not change land use or alter established communities.

b) Conflict with any applicable land use plan, policy, or regulations 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?

No impact. Actions needed to implement the CWAD would not affect or be affected by land use designations, would not conflict with any land use plan, policy or regulation adopted for managing an environmental effect.

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

Less than significant with mitigation. See response 4.f. The draft CWAD takes the MSHCP into account and requires review of site-specific BMP implementation to assure that there are no impacts to biological resources, including species/habitats addressed by the MSHCP. This mitigates potential impacts to the MSHCP to less than significant.

11. Mineral Resources

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Result in 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 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

Background*:* The California Surface Mining and Reclamation Act of 1975 (SMARA) required identification of mineral resources in California. SMARA maps identify and classify mineral resources as to their relative value for extraction.

Discussion: Would the project:

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

No impact. Actions to implement the CWAD may include small scale earthmoving and agricultural activities in areas reported as containing known or inferred mineral occurrences of undetermined mineral resource significance7, however implementation actions would have no effect on the availability of these resources.

b) Result in 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. Actions to implement the CWAD program would take place outside delineated, locally important mineral resource recovery sites

12. Noise

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Lead to 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) Lead to exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?			X	
c) Lead to a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				x
d) Lead to 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 use plan or, where such a plan has not been adopted, within two miles of the public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				x

[7] Miller, Russell V., and Busch, Lawrence L., 2008

f) For a project within the vicinity of a private airship, would the project expose people residing or working in the project area to excessive noise levels?				x

***Background**:* Agricultural operations that would be subject to the CWAD are in rural areas zoned for agriculture and are generally located away from schools, hospitals, and other noise-sensitive land uses. Residential uses in districts zoned for agricultural are typically very low density, either only a few residences on each of the agricultural operations, or no residences at all. In some cases, agricultural operations that would be subject to the CWAD may adjoin or be located close to medium density residential developments, schools or recreational sites. Minor construction undertaken to comply with the CWAD could result in temporary, minor increases in ambient noise levels in the immediate area of grading and construction sites.

Discussion: Would the project:

a) Lead to 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?

Less than significant impact. Actions needed to implement the CWAD could involve small scale earthmoving and construction by operators of agricultural facilities. Construction and earthmoving could temporarily generate noise. Any construction activities proposed to implement the Project would be held to local noise standards, and therefore any noise generated would have less than significant impact.

b) Lead to exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

Less than significant impact. Actions needed to implement the CWAD could involve temporary, small scale earthmoving and construction that could generate ground-borne vibration or noise. However soil conditions of the project area are such that ground vibration would not be transmitted beyond the agricultural operations where construction and earthmoving takes place. Any construction activities proposed to implement the project would comply with local noise standards and therefore any noise generated would not be excessive.

c) Lead to a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No impact. Any noise resulting from actions needed to implement the project would be short-term and, would not cause a permanent increase in ambient noise levels.

d) Lead to a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

No impact. Actions needed to implement the CWAD program could involve temporary, small scale earthmoving and construction by operators of agricultural facilities. These actions could temporarily but not substantially increase ambient noise levels.

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

No impact. Measures to implement the CWAD program would not expose people to excessive noise levels related to airport land use.

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?

No impact. Measures to implement the CWAD would not expose people in the vicinity of private airstrip operations to excessive noise levels.

13. Population and Housing

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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 number of people, necessitating the construction of replacement housing elsewhere?				X

***Background**:* The CWAD entails the implementation of BMPs to control waste discharges from agricultural operations. These BMPs have no direct or indirect effect on population growth or housing.

Discussion: 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)?

No impact. The implementation of BMPs to comply with the CWAD would not directly or indirectly induce population growth in the Project Area.

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

No impact. BMP actions driven by the CWAD would not displace existing housing or necessitate construction of replacement housing.

c) Displace substantial number of people, necessitating the construction of replacement housing elsewhere?

No impact. BMP actions driven by the CWAD would not displace people.

14. Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significance environmental impacts, in order to maintain acceptable service ratios, response time or other performance objectives for any of the public services?	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Fire protection?				*x*
Police protection?				*x*
Schools?				*x*
Parks?				*x*
Other public facilities?				*x*

***Background**:* Public services in the Project area are provided by state, county, and local agencies. Police protection is by the California Highway Patrol, Riverside County Sherriff's Department, or city police departments. California Division of Forestry and Fire Protection (CAL FIRE), Riverside County Fire Department and city fire departments provide fire protection and emergency service response, if necessary through mutual aid agreements. A number of local school districts provide K-12 education, and higher education opportunities are available through Mt. San Jacinto Community College District. Developed parks are managed by city park departments or Riverside County Parks and Open Space District. Agencies controlling open space, undeveloped park lands available for passive recreation include Riverside County Parks, Riverside Conservation Agency, U.S. Forest Service and California State Parks.

***Discussion**:*

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

a) Fire protection? b) Police protection? c) Schools? d) Parks? e) Other public facilities

No impact. CWAD implementation will not result in changes to delivery of police or fire services, schools or parks because the project is not growth inducing, and does not involve construction of new government facilities or the need to physically alter existing government facilities. The Project would not affect service ratios, response times or other performance objectives for any public service, and will have no impact on any public services.

15. Recreation

	Potentially Significant Impact	**Less Than Significant Impact with Mitigation Incorporated**	**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?				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

***Background**:* Public agencies, their vendors, and private parties own and operate numerous park and recreational facilities in the Project area. These facilities provide a variety of outdoor recreational, educational and sporting opportunities for local residents and for visitors from surrounding communities.

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. Measures to implement the CWAD would have no effect on the use of existing neighborhood or regional parks or other recreational facilities.

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. The CWAD program does not include or require construction of recreational facilities.

16. *Transportation/Traffic*

Would the project cause:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				x
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				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?				
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

***Background**:*

The CWAD Project Area is served by the I-15, I-215 and SR-60 freeways, State Highways 74 and 79, east-west major arterials Gilman Springs Road and Ramona Expressway, networks of urban streets, and suburban and rural streets and roads.

Discussion: Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

No impact. Implementation of the CWAD program could result in short term, minor construction that would require surface transportation of earth-moving equipment over existing roadways to and from established agricultural operations in rural areas, and delivery of construction materials to these operations. Considering all modes of transportation and all transportation infrastructure, implementation of the project would not conflict with any traffic management plan or performance measure of transportation effectiveness.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

No impact. See response to 16a.), above. There would be no conflicts with service standards or congestion management programs.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

No impact. CWAD implementation would not result in increased air travel or affect risks of air travel.

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

No impact. CWAD implementation would not result in design or engineering of new roads and would not result in a substantial increase in roadway hazards or use of roadways for incompatible purposes.

e) Result in inadequate emergency access?

No impact. CWAD implementation would not affect emergency response or result in inadequate emergency access.

f) Result in inadequate parking capacity?

No impact. Because implementation of the project would not increase population, housing, or employment, it would not affect parking supply or demand.

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

No impact. Because implementation of the project would not generate ongoing motor vehicle trips, it would not conflict with adopted policies, plans, or programs supporting alternative transportation.

17. Utilities and Service Systems

Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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

***Background**:*

Within developed parts of the Project Area, wastewater services are provided by local water districts and potable water is supplied by these districts, other special districts, or city water departments. Sources of potable water include groundwater, surface water, and water imported from the Colorado River by the Metropolitan Water District of Southern California's Colorado River Aqueduct and from the Sacramento River Delta by the Department of Water Resources' State Water Project. Recycled water is also distributed in parts of the project area for specific, regulated uses. Regional landfills that serve the project area are operated by the County of Riverside. Rural residents receive water from public supplies, where available, or from private wells. Septic tank use in rural parts of the project area is subject to oversight by the County of Riverside's environmental health program and by the Regional Board.

The CWAD entails the implementation of BMPs at agricultural operations in order to protect water quality. These BMPs are not expected to generate wastes that would be directed to wastewater treatment facilities or landfills and, therefore, to necessitate new or expanded wastewater treatment facilities/landfills. Nor would the BMPs be expected to require new/expanded water supply facilities.

Discussion: Would the project:

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

No impact. The CWAD would have no effect on compliance with the requirements imposed by the Regional Board on wastewater treatment facilities.

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?

No impact. Implementation of BMPs to comply with the CWAD would not require the construction of new or expanded large-scale water or wastewater treatment facilities to serve the existing communities in the Project area. BMPs that may be employed include the installation of new, on-site irrigation systems to replace other, less efficient water supply systems at agricultural operations.

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?

No impact. Implementation of the CWAD would not result in construction of new or expanded large-scale stormwater drainage facilities to serve the communities in the Project area. BMPs implemented to comply with the CWAD may include minor on-site drainage modifications at the individual enrolled agricultural operations. The impacts associated with any such modifications would be minor. .

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

No impact. Project implementation would not increase population or provide employment or otherwise result in new demand for water and would not result in the needed for new or expanded water entitlements.

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?

No impact. Project implementation would not affect wastewater treatment capacity and no determination of adequate capacity would be needed.

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

No impact. Measures to implement the project would not affect solid waste generation or solid waste landfill capacity.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

No impact. Implementation of the project would not affect compliance with applicable statutes and regulations related to solid waste.

18. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		***x***		
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 probably future projects)?				***x***
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			***x***	

Discussion:

a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of 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 with mitigation: As discussed in the evaluation of potential impacts to biological resources (4. Biological Resources, above), adoption and implementation of the CWAD is expected to necessitate the implementation of new/revised BMPs at agricultural operations in the Project area. Minor, small scale grading and construction and periodic maintenance activities may be needed for some of these BMPs. Because of their limited anticipated scope, and because in most cases the BMPs would be

implemented at already existing agricultural operations, these projects are not expected to have a substantial, if any, adverse effect on plant or animal species of concern, either directly or indirectly through habitat modification/loss. Nor are these activities expected to substantially affect riparian or other sensitive natural habitat communities. However, there remains the potential that BMPs could be proposed for sensitive areas at agricultural operations, and that BMP implementation in these areas could adversely affect plant and animal species and their habitats, including riparian and other sensitive natural communities. This would be contrary to the protection of wildlife-related beneficial uses, and to the extraordinary effort of the MSHCP to preserve biological resources. The proposed CWAD incorporates provisions that mitigated such potential impacts to less than significant. Specifically, the CWAD requires review of potential BMPs by Board staff, in coordination with the agricultural operators and wildlife agencies, if necessary, to determine whether and what special measures are necessary and reasonably feasible to prevent adverse impacts. Agricultural operators will be required to implement these special measures via a Water Quality Improvement Plan that the Executive Officer is authorized to require pursuant to the CWAD.

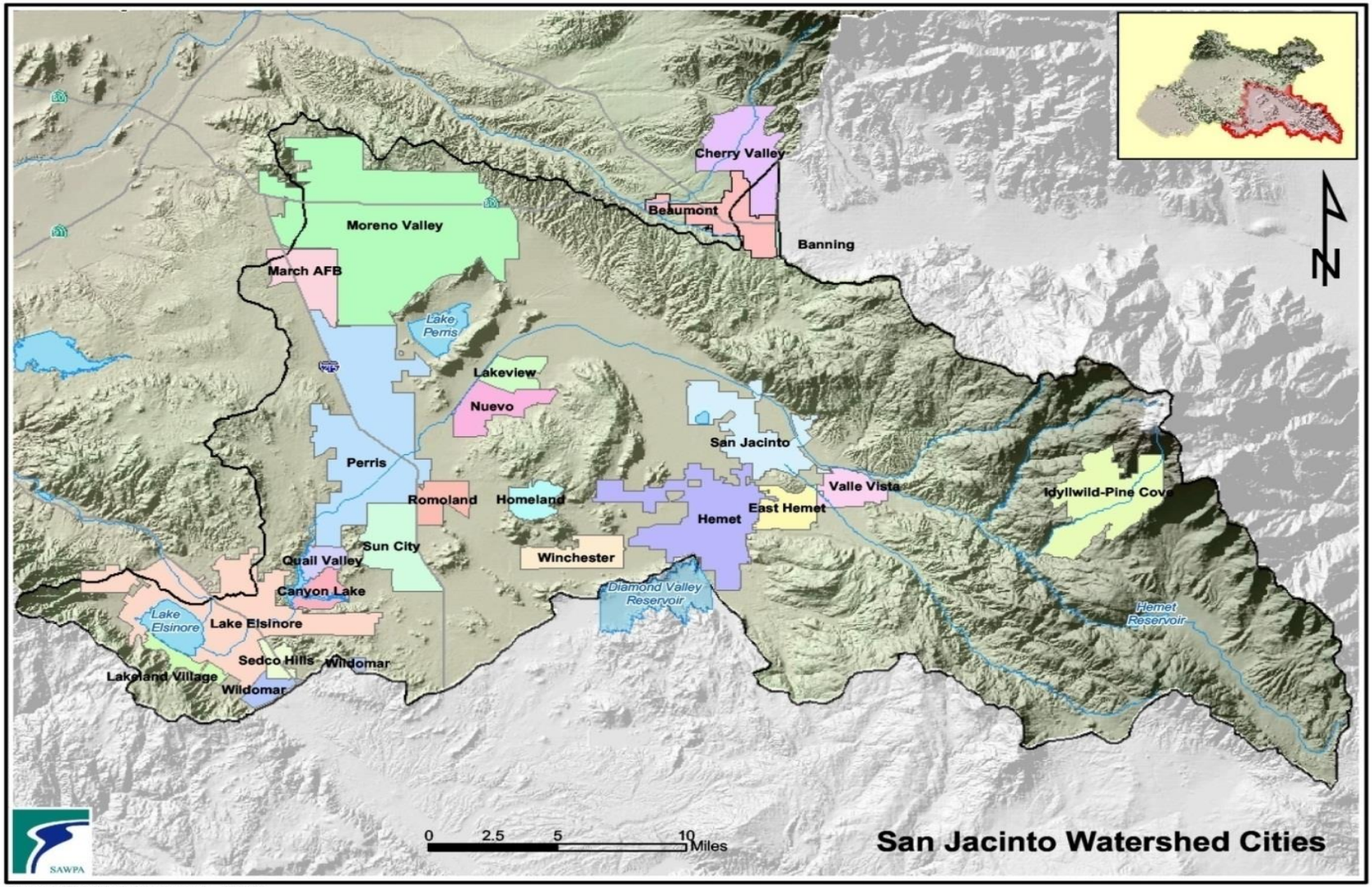
b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects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

No impact. The impacts associated with the implementation of the CWAD will be limited to isolated areas contained on lands involved in existing agricultural operations. Most, if not all of the impacts associated with implementation of the CWAD will be similar in nature and scope to existing agricultural operations, with the ultimate result of the implementation being cumulative improvements to water quality within the larger project region. Accordingly, there will be no cumulatively considerable impacts.

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

Less than significant impact. The CWAD project would not cause substantial adverse impacts to human beings, either directly or indirectly. There may be short-term, localized increases in noise, but these impacts are expected to be less than significant. The Project will improve water quality conditions in ground and surface waters, and protect the beneficial uses of those waters, including the use of waters for domestic supply. Implementation of the CWAD is intended to contribute to the restoration of nutrient impaired surface waters (Canyon Lake and Lake Elsinore), and the beneficial uses these waters provide, including recreational opportunities and sport fishing. The project is also intended to benefit humans by leading to improvements in groundwater quality, a significant source of domestic supply.

Exhibit 1. Cities in the San Jacinto River Watershed



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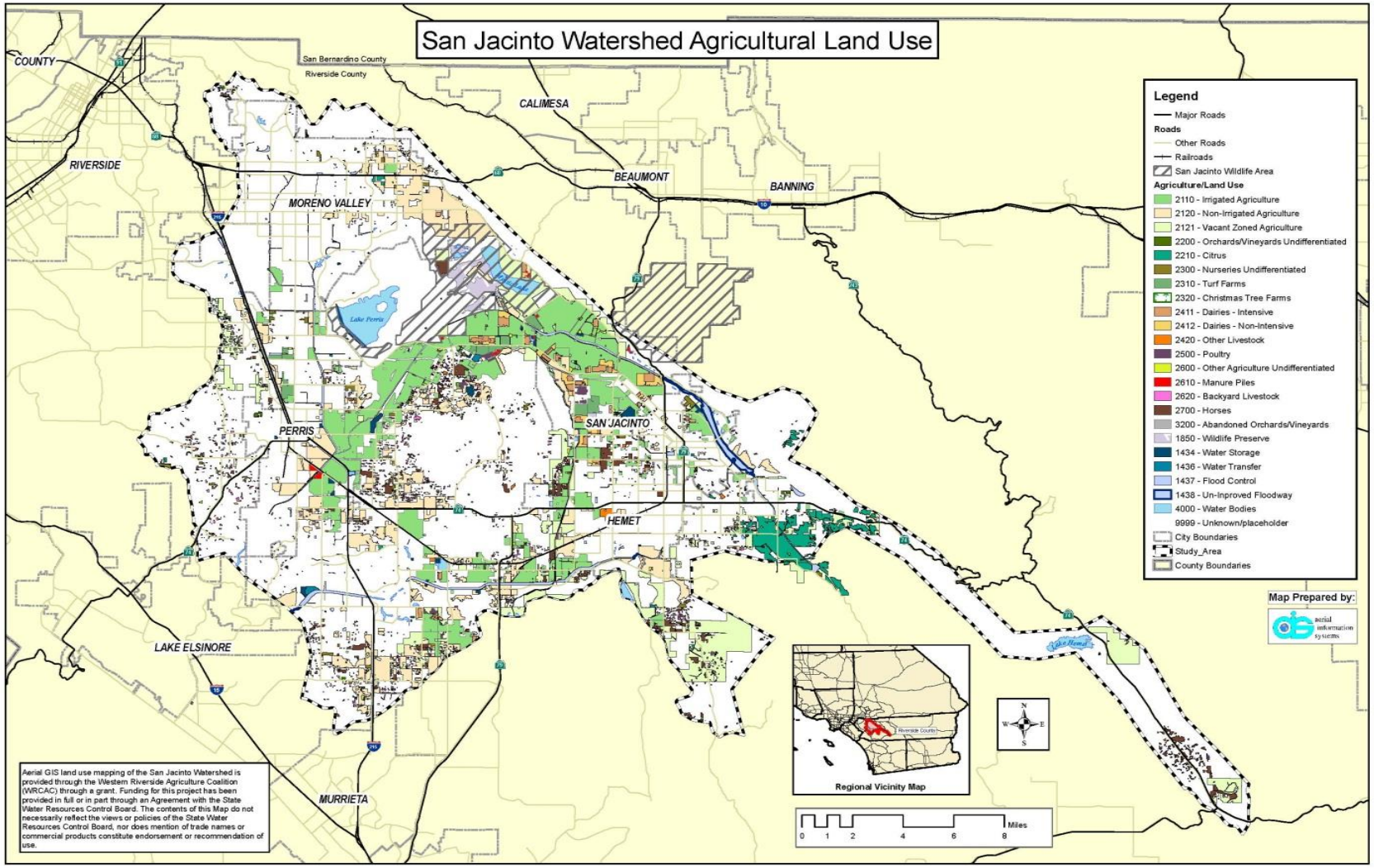
Exhibit 2. Agricultural Land Uses in the San Jacinto River Watershed