

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER QUALITY**

INFORMATIONAL DOCUMENT

**REVISIONS TO THE POLICY FOR IMPLEMENTATION OF TOXICS STANDARDS
FOR INLAND SURFACE WATERS, ENCLOSED BAYS, AND ESTUARIES OF
CALIFORNIA**

OCTOBER 2004



Terry Tamminen
*Secretary for
Environmental
Protection*

State Water Resources Control Board

1001 I Street • Sacramento, California 95814 • (916) 341-5379
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
Fax (916) 341-5584 • <http://www.swrcb.ca.gov>



Arnold Schwarzenegger
Governor

NOTICE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) **SCOPING MEETING**

Proposed Revisions to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California

Friday, November 12, 2004 – 10:00 a.m.
Sierra Hearing Room – Second Floor
Joe Serna, Jr. Cal/EPA Headquarters Building
1001 “I” Street, Sacramento, CA 95814

NOTICE IS HEREBY GIVEN that the Division of Water Quality (DWQ), State Water Resources Control Board (SWRCB) will hold a CEQA scoping meeting to seek input on the scope and content of the environmental information which should be included in the draft Functional Equivalent Document (FED) that will be prepared for the proposed revisions to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP). The three issues related to the proposed revisions are:

- Allow for Water Effects Ratio (WER) to be established as part of the permit process;
- Eliminate the reasonable potential trigger for situations where ambient background concentrations are greater than criteria; and
- Clean-up non-regulatory language.

The purpose of the scoping meeting is to provide a forum for early public consultation on the proposed revisions to the SIP. It serves to assist the SWRCB in determining the scope and content of the environmental information Responsible and Trustee Agencies, as well as other interested parties, may require. Scoping is helpful to the SWRCB in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth and in eliminating from detailed study those issues found not to be important. Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, state, and local agencies, the proponent of the action, and other interested persons including those who might not be in accord with the action on environmental grounds.

An audio broadcast of the meeting will be available via the internet and can be accessed at: <http://www.calepa.ca.gov/broadcast/>. A teleconference line has also been arranged for members of the public to participate by phone. The call-in number is (916) 255-4044. The conference line can accommodate a maximum of 30 callers. If there is an issue of significant importance to you or your organization, it is strongly recommended that a representative attend the meeting in Sacramento.

California Environmental Protection Agency

AVAILABILITY OF THE PROPOSED SIP REVISIONS

An informational document on the proposed SIP revisions may be obtained via the Internet on the SWRCB web site at <http://www.swrcb.ca.gov/iswp/>. You may also receive a copy by writing or calling: Jan Hisao, Division of Water Quality, State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-0100, (916) 341-5568, FAX: (916) 341-5584, email: hisaj@dwq.swrcb.ca.gov.

SUBMISSION OF COMMENTS

DWQ will accept both written and oral suggestions on the scope and content of the environmental information which should be included in the FED. Comments should be limited to the three identified issues and should help in identifying the range of actions, alternatives, mitigation measures, and potential significant effects to be analyzed in depth in the FED and in eliminating from detailed study issues found not to be important. Written comments should be submitted to: Dena McCann, Division of Water Quality, State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-0100, FAX: (916) 341-5584, email: mccad@dwq.swrcb.ca.gov. All comments are due by November 12, 2004.

PARKING AND ACCESSIBILITY

There is a parking garage across from the Joe Serna, Jr. Cal/EPA Building with entrances on 10th and 11th Streets between "I" and "J" Streets, and metered parking spaces are in the vicinity of the building. For a map, see our web site at <http://www.calepa.ca.gov/EPABldg/location.htm>. The facilities are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Adrian Perez at (916) 341-5880 at least five working days prior to the public scoping meeting date. Persons with hearing or speech impairments can contact us by using the California Relay Service Telecommunications Device for the Deaf (TDD). TDD is reachable only from phones equipped with a TDD Device. HEARING IMPAIRED RELAY SERVICE: TDD to voice 1-800-735-2929, Voice to TDD 1-800-735-2922.

All visitors are required to sign in and receive a badge prior to attending any meeting in the building. The Visitor and Environmental Services Center is located just inside and to the left of the Cal/EPA Building's public entrance. Valid picture identification may be required due to the security level. Please allow up to 15 minutes for receiving clearance to proceed to the Sierra Hearing Room.

Date: October 13, 2004



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INTRODUCTION

As part of standards development, the State Water Resources Control Board (SWRCB) periodically reviews its policies as described in California Water Code (CWC) section 13143. Clean Water Act (CWA) section 303(c)(1) also requires states to review water quality standards and policies affecting their implementation every three years. Water quality standards and applicable implementation policies, must be approved by the U.S. Environmental Protection Agency (USEPA). To comply with these mandates, the SWRCB solicited comments on potential revisions to the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP) in October 2002. A letter was sent to the public to request input on any potential revisions to the SIP. Comments were received in late December 2002. Twenty-six individuals and organizations responded. Staff reviewed, evaluated, and wrote responses to all 313 comments. Staff then assembled lists of recommended changes, subjects in need of further evaluation, and topics that are best addressed through mechanisms external to the SIP.

In October 2003, four potential revisions were addressed in a SWRCB workshop/hearing. The SWRCB directed staff to begin working on the following revisions to the SIP: (1) clarify SIP provisions for implementing Basin Plan narrative toxicity objectives; (2) allow for Water Effects Ratio (WER) to be established as part of the permit process; (3) eliminate the reasonable potential trigger for situations where ambient background concentrations are greater than criteria; and (4) clean-up non-regulatory language. Three of these four items will be addressed in the Functional Equivalent Document (FED) prepared for these revisions. The changes to the language regarding toxicity objectives will be handled separately.

The purpose of the scoping meeting is to provide a forum for early public consultation on the proposed revisions to the SIP. It serves to assist the SWRCB in determining the scope and content of the environmental information Responsible and Trustee Agencies, as well as other interested parties, may require. Scoping is helpful to the SWRCB in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth and in eliminating from detailed study those issues found not to be important. Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, state, and local agencies, the proponent of the action, and other interested persons including those who might not be in accord with the action on environmental grounds.

BACKGROUND

In 1994, following rescission of the Inland Surface Waters Plan and Enclosed Bays and Estuary Plan (ISWP/EBEP), the SWRCB and the USEPA agreed to a coordinated approach to address priority toxic pollutants in inland surface waters, enclosed bays, and estuaries of California. In March 2000, the SWRCB adopted the SIP to implement priority toxic pollutant criteria contained in the California Toxics Rule (CTR). The CTR was promulgated by the USEPA in May 2000. Additionally, the SIP provides an implementation mechanism for all other priority toxic pollutant criteria and objectives for point source, non-ocean water discharges.

Under CWA § 303 (c), the USEPA reviewed and approved SIP Sections 1.1 (Applicable Priority Pollutant Criteria and Objectives), 1.4.2 (Mixing Zones and Dilution Credits), 2 through 2.2.1 (Compliance Schedules, excluding section 2.1.B and those parts of 2.1 and 2.2.1 that refer to 2.1.B), 5.2 (Site-Specific Objectives), 5.3 (Exceptions), Appendix 1, and Appendix 3. Accordingly, these sections must be considered during a triennial review. In addition, the SWRCB has chosen to review non-water quality standards sections on its own initiative.

EXISTING REGULATORY CONDITIONS

The SIP was adopted by the SWRCB on March 2, 2000, and USEPA, Region 9 subsequently approved all aspects of the SIP, except the TMDL Compliance Schedule provisions and other portions outside USEPA's approval authority. The SIP contains implementation provisions for 126 priority toxic pollutant criteria found within the National Toxics Rule, the California Toxics Rule and for priority pollutant objectives found in Basin Plans established by the Regional Water Quality Control Boards (RWQCBs). The SIP applies to discharges of toxic pollutants, and allows for a standardized approach for permitting and maintaining statewide consistency

PROJECT DESCRIPTION

Project Definition

This project includes the following triennial review revisions to the SIP:

- (1) Establish WERs as part of the permitting process;
- (2) Eliminate the reasonable potential trigger for situations when ambient background concentrations of a pollutant are greater than a criterion; and
- (3) Corrections to non-regulatory language by eliminating, rephrasing, or adding sentences to improve clarity.

ENVIRONMENTAL SETTING

California encompasses a variety of environmental conditions ranging from the Sierra Nevada to deserts (with a huge variation in between these two extremes) to the Pacific Ocean.

For water quality management, section 13200 of the CWC divides the State into nine different hydrologic regions. Brief descriptions of the Regions and the water bodies are presented below. The information provided in this section comes from the Basin Plans.

North Coast Region (Region 1)

The North Coast Region comprises all regional basins, including Lower Klamath Lake and Lost River Basins, draining into the Pacific Ocean from the California-Oregon state line southern boundary and includes the watershed of the Estero de San Antonio and Stemple Creek in Marin and Sonoma Counties. Two natural drainage basins, the Klamath River Basin and the North Coastal Basin divide the Region. The Region covers all of Del Norte, Humboldt, Trinity, and

Mendocino Counties, major portions of Siskiyou and Sonoma Counties, and small portions of Glenn, Lake, and Marin Counties. It encompasses a total area of approximately 19,390 square miles, including 340 miles of coastline and remote wilderness areas, as well as urbanized and agricultural areas.

Beginning at the Smith River in northern Del Norte County and heading south to the Estero de San Antonio in northern Marin County, the Region encompasses a large number of major river estuaries. Other North Coast streams and rivers with significant estuaries include the Klamath River, Redwood Creek, Little River, Mad River, Eel River, Noyo River, Navarro River, Elk Creek, Gualala River, Russian River and Salmon Creek (this creek mouth also forms a lagoon). Northern Humboldt County coastal lagoons include Big Lagoon and Stone Lagoon. The two largest enclosed bays in the North Coast Region are Humboldt Bay and Arcata Bay (both in Humboldt County). Another enclosed bay, Bodega Bay, is located in Sonoma County near the southern border of the Region.

Distinct temperature zones characterize the North Coast Region. Along the coast, the climate is moderate and foggy with limited temperature variation. Inland, however, seasonal temperature ranges in excess of 100°F (Fahrenheit) have been recorded. Precipitation is greater than for any other part of California, and damaging floods are a fairly frequent hazard. Particularly devastating floods occurred in the North Coast area in December 1955, December 1964, and February 1986. Ample precipitation in combination with the mild climate found over most of the North Coast Region has provided a wealth of fish, wildlife, and scenic resources. The mountainous nature of the Region, with its dense coniferous forests interspersed with grassy or chaparral covered slopes, provides shelter and food for deer, elk, bear, mountain lion, fur bearers, and many upland bird and mammal species. The numerous streams and rivers of the Region contain anadromous fish, and the reservoirs, although few in number, support both cold water and warm water fish.

Tidelands and marshes are extremely important to many species of waterfowl and shore birds, both for feeding and nesting. Cultivated land and pasturelands also provide supplemental food for many birds, including small pheasant populations. Tideland areas along the north coast provide important habitat for marine invertebrates and nursery areas for forage fish, game fish, and crustaceans. Offshore coastal rocks are used by many species of seabirds as nesting areas.

Major components of the economy are tourism and recreation, logging and timber milling, aggregate mining, commercial and sport fisheries, sheep, beef and dairy production, and vineyards and wineries. In all, the North Coast Region offers a beautiful natural environment with opportunities for scientific study and research, recreation, sport and commerce.

Approximately two percent of California's total population resides in the North Coast Region. The largest urban centers are Eureka in Humboldt County, and Santa Rosa in Sonoma County.

San Francisco Region (Region 2)

The San Francisco Bay Region comprises San Francisco Bay, Suisun Bay beginning at the Sacramento River, and San Joaquin River westerly, from a line which passes between Collinsville and Montezuma Island. The Region's boundary follows the borders common to Sacramento and Solano counties and Sacramento and Contra Costa counties west of the Markely

Canyon watershed in Contra Costa County. All basins west of the boundary, described above, and all basins draining into the Pacific Ocean between the southern boundary of the North Coast Region and the southern boundary of the watershed of Pescadero Creek in San Mateo and Santa Cruz counties are included in the Region.

The Region comprises most of the San Francisco Estuary to the mouth of the Sacramento-San Joaquin Delta. The San Francisco Estuary conveys the waters of the Sacramento and San Joaquin Rivers to the Pacific Ocean. Located on the central coast of California, the Bay system functions as the only drainage outlet for waters of the Central Valley. It also marks a natural topographic separation between the northern and southern coastal mountain ranges. The Region's waterways, wetlands, and bays form the centerpiece of the fourth largest metropolitan area in the United States, including all or major portions of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma counties.

The San Francisco Bay RWQCB has jurisdiction over the part of the San Francisco Estuary, which includes all of the San Francisco Bay segments extending east to the Delta (Winter Island near Pittsburg). The San Francisco Estuary sustains a highly dynamic and complex environment. Within each section of the Bay system lie deepwater areas that are adjacent to large expanses of very shallow water. Salinity levels range from hypersaline to fresh water and water temperature varies widely. The Bay system's deepwater channels, tidelands, marshlands, fresh water streams and rivers provide a wide variety of habitats within the Region. Coastal embayments including Tomales Bay and Bolinas Lagoon are also located in this Region. The Central Valley RWQCB has jurisdiction over the Delta and rivers extending further eastward.

The Sacramento and San Joaquin Rivers enter the Bay system through the Delta at the eastern end of Suisun Bay and contribute almost all of the fresh water inflow into the Bay. Many smaller rivers and streams also convey fresh water to the Bay system. The rate and timing of these fresh water flows are among the most important factors influencing physical, chemical and biological conditions in the estuary. Flows in the region are highly seasonal, with more than 90 percent of the annual runoff occurring during the winter rainy season between November and April.

The San Francisco Estuary is made up of many different types of aquatic habitats that support a great diversity of organisms. Suisun Marsh in Suisun Bay is the largest brackish-water marsh in the United States. San Pablo Bay is a shallow embayment strongly influenced by runoff from the Sacramento and San Joaquin Rivers.

The Central Bay is the portion of the Bay most influenced by oceanic conditions. The South Bay, with less freshwater inflow than the other portions of the Bay, acts more like a tidal lagoon. Together these areas sustain rich communities of aquatic life and serve as important wintering sites for migrating waterfowl and spawning areas for anadromous fish.

Central Coast Region (Region 3)

The Central Coast Region comprises all basins (including Carrizo Plain in San Luis Obispo and Kern Counties) draining into the Pacific Ocean from the southern boundary of the Pescadero Creek watershed in San Mateo and Santa Cruz Counties; to the southeastern boundary of the Rincon

Creek watershed, located in western Ventura County. The Region extends over a 300-mile long by 40-mile wide section of the State's central coast. Its geographic area encompasses all of Santa Cruz, San Benito, Monterey, San Luis Obispo, and Santa Barbara Counties as well as the southern one-third of Santa Clara County, and small portions of San Mateo, Kern, and Ventura Counties. Included in the region are urban areas such as the Monterey Peninsula and the Santa Barbara coastal plain; prime agricultural lands such as the Salinas, Santa Maria, and Lompoc Valleys; National Forest lands; extremely wet areas such as the Santa Cruz mountains; and arid areas such as the Carrizo Plain.

Water bodies in the Central Coast Region are varied. Enclosed bays and harbors in the Region include Morro Bay, Elkhorn Slough, Tembladero Slough, Santa Cruz Harbor, Moss Landing Harbor, San Luis Harbor, and Santa Barbara Harbor. Several small estuaries also characterize the Region, including the Santa Maria River Estuary, San Lorenzo River Estuary, Big Sur River Estuary, and many others. Major rivers, streams, and lakes include San Lorenzo River, Santa Cruz River, San Benito River, Pajaro River, Salinas River, Santa Maria River, Cuyama River, Estrella River and Santa Ynez River, San Antonio Reservoir, Nacimiento Reservoir, Twitchel Reservoir, and Cuchuma Reservoir.

The economic and cultural activities in the basin have been primarily agrarian. Livestock grazing persists, but has been combined with hay cultivation in the valleys. Irrigation, with pumped local groundwater, is very significant in intermountain valleys throughout the basin. Mild winters result in long growing seasons and continuous cultivation of many vegetable crops in parts of the basin.

While agriculture and related food processing activities are major industries in the Region, oil production, tourism, and manufacturing contribute heavily to its economy. The northern part of the Region has experienced a significant influx of electronic manufacturing; while offshore oil exploration and production have heavily influenced the southern part. Total population of the Region is estimated at 1.22 million people.

Water quality problems frequently encountered in the Central Coastal Region include excessive salinity or hardness of local groundwaters. Increasing nitrate concentration is a growing problem in a number of areas, in both groundwater and surface water. Surface waters suffer from bacterial contamination, nutrient enrichment, and siltation in a number of watersheds. Pesticides are a concern in agricultural areas and associated downstream water bodies.

Los Angeles Region (Region 4)

The Los Angeles Region comprises all basins draining into the Pacific Ocean between the southeastern boundary of the watershed of Rincon Creek, located in western Ventura County, and a line which coincides with the southeastern boundary of Los Angeles County, from the Pacific Ocean to San Antonio Peak, and follows the divide, between the San Gabriel River and Lytle Creek drainages to the divide between Sheep Creek and San Gabriel River drainages.

The Region encompasses all coastal drainages flowing into the Pacific Ocean between Rincon Point (on the coast of western Ventura County) and the eastern Los Angeles County line, as well as the drainages of five coastal islands (Anacapa, San Nicolas, Santa Barbara, Santa Catalina and San Clemente). In addition, the Region includes all coastal waters within three miles of the

continental and island coastlines Two large deepwater harbors (Los Angeles and Long Beach Harbors) and one smaller deepwater harbor (Port Hueneme) are contained in the Region. There are small craft marinas within the harbors, as well as tank farms, naval facilities, fish processing plants, boatyards, and container terminals. Several small-craft marinas also exist along the coast (Marina del Rey, King Harbor, Ventura Harbor); these contain boatyards, other small businesses and dense residential development.

Several large, primarily concrete-lined rivers (Los Angeles River, San Gabriel River) lead to unlined tidal prisms which are influenced by marine waters. Salinity may be greatly reduced following rains since these rivers drain large urban areas composed of mostly impermeable surfaces. Some of these tidal prisms receive a considerable amount of freshwater throughout the year from publicly-owned treatment works discharging tertiary-treated effluent. Lagoons are located at the mouths of other rivers draining relatively undeveloped areas (Mugu Lagoon, Malibu Lagoon, Ventura River Estuary, and Santa Clara River Estuary). There are also a few isolated coastal brackish water bodies receiving runoff from agricultural or residential areas.

Santa Monica Bay, which includes the Palos Verdes Shelf, dominates a large portion of the open coastal water bodies in the Region. The Region's coastal water bodies also include the areas along the shoreline of Ventura County and the waters surrounding the five offshore islands in the region.

Central Valley Region (Region 5)

The Central Valley Region includes approximately 40 percent of the land in California stretching from the Oregon border to the Kern County/ Los Angeles county line. The Region is divided into three basins. For planning purposes, the Sacramento River Basin and the San Joaquin River basin are covered under one Basin Plan and the Tulare Lake Basin is covered under a separate distinct one.

The Sacramento River Basin covers 27,210 square miles and includes the entire area drained by the Sacramento River. The principal streams are the Sacramento River and its larger tributaries: the Pitt, Feather, Yuba, Bear, and American Rivers to the East; and Cottonwood, Stony, Cache, and Putah Creek to the west. Major reservoirs and lakes include Shasta, Oroville, Folsom, Clear Lake, and Lake Berryessa.

The San Joaquin River Basin covers 15,880 square miles and includes the entire area drained by the San Joaquin River. Principal streams in the basin are the San Joaquin River and its larger tributaries: the Consumnes, Mokelumne, Calaveras, Stanislaus, Tuolumne, Merced, Chowchilla, and Fresno Rivers. Major reservoirs and lakes include Pardee, New Hogan, Millerton, McClure, Don Pedro, and New Melones.

The Tulare Lake Basin covers approximately 16,406 square miles and comprises the drainage area of the San Joaquin Valley south of the San Joaquin River. The planning boundary between the San Joaquin River Basin and the Tulare Lake Basin is defined by the northern boundary of Little Pinoche Creek basin eastward along the channel of the San Joaquin River to Millerton Lake in the Sierra Nevada foothills, and then along the southern boundary of the San Joaquin River drainage basin. Main rivers within the basin include the King, Kaweah, Tule, and Kern

Rivers, which drains the west face of the Sierra Nevada Mountains. Imported surface water supplies enter the basin through the San Luis Drain- California Aqueduct System, Friant- Kern Channel and the Delta Mendota Canal.

The two northern most basins are bound by the crests of the Sierra Nevada on the east and the Coast Range and Klamath Mountains on the west. They extend about 400 miles from the California-Oregon border southward to the headwaters of the San Joaquin River. These two river basins cover about one fourth of the total area of the State and over 30 percent of the State's irrigable land. The Sacramento and San Joaquin Rivers furnish roughly 50 percent of the State's water supply.

Surface water from the two drainage basins meet and form the Delta, which ultimately drains into the San Francisco Bay.

The Delta is a maze of river channels and diked islands covering roughly 1,150 square miles, including 78 square miles of water area. Two major water projects located in the South Delta, the Federal Central Valley Project and the State Water Project, deliver water from the Delta to Southern California, the San Joaquin Valley, Tulare Lake Basin, the San Francisco Bay Area, as well as within the Delta boundaries. The legal boundary of the Delta is described in CWC section 12220.

Lahontan Region (Region 6)

The Lahontan Region has historically been divided into North and South Lahontan Basins at the boundary between the Mono Lake and East Walker River watersheds. It is about 570 miles long and has a total area of 33,131 square miles. The Lahontan Region includes the highest (Mount Whitney) and lowest (Death Valley) points in the contiguous United States. The topography of the remainder of the Region is diverse. The Region includes the eastern slopes of the Warner, Sierra Nevada, San Bernardino, Tehachapi and San Gabriel Mountains, and all or part of other ranges including the White, Providence, and Granite Mountains. Topographic depressions include the Madeline Plains, Surprise, Honey Lake, Bridgeport, Owens, Antelope, and Victor Valleys.

The Region is generally in a rain shadow; however, annual precipitation amounts can be high (up to 70 inches) at higher elevations. Most precipitation in the mountainous areas falls as snow. Desert areas receive relatively little annual precipitation (less than 2 inches in some locations) but this can be concentrated and lead to flash flooding. Temperature extremes recorded in the Lahontan Region range from -45°F at Boca (Truckee River watershed) to 134°F in Death Valley. The varied topography, soils, and microclimates of the Lahontan Region support a corresponding variety of plant and animal communities. Vegetation ranges from sagebrush and creosote bush scrub in the desert areas to pinyon-juniper and mixed conifer forest at higher elevations. Subalpine and alpine communities occur on the highest peaks. Wetland and riparian plant communities, including marshes, meadows, "sphagnum" bogs, riparian deciduous forest, and desert washes, are particularly important for wildlife, given the general scarcity of water in the Region.

The Lahontan Region is rich in cultural resources (archaeological and historic sites), ranging from remnants of Native American irrigation systems to Comstock mining era ghost towns, such as Bodie, and 1920s resort homes at Lake Tahoe and Death Valley (Scotty's Castle).

Much of the Lahontan Region is in public ownership, with land use controlled by agencies, such as the U.S. Forest Service, National Park Service, Bureau of Land Management, various branches of the military, the California State Department of Parks and Recreation, and the City of Los Angeles Department of Water and Power. While the permanent resident population (about 500,000 in 1990) of the Region is low, most of it is concentrated in high density communities in the South Lahontan Basin. In addition, millions of visitors use the Lahontan Region for recreation each year. Rapid population growth has occurred in the Victor and Antelope Valleys and within commuting distance of Reno, Nevada. Principal communities of the North Lahontan Basin include Susanville, Truckee, Tahoe City, South Lake Tahoe, Markleeville, and Bridgeport. The South Lahontan Basin includes the communities of Mammoth Lakes, Bishop, Ridgecrest, Mojave, Adelanto, Palmdale, Lancaster, Victorville, and Barstow. Recreational and scenic attractions of the Lahontan Region include Eagle Lake, Lake Tahoe, Mono Lake, Mammoth Lakes, Death Valley, and portions of many wilderness areas. Segments of the East Fork Carson and West Walker Rivers are included in the State Wild and Scenic River system. Both developed (e.g., camping, skiing, day use) and undeveloped (e.g., hiking, fishing) recreation are important components of the Region's economy. In addition to tourism, other major sectors of the economy are resource extraction (mining, energy production, and silviculture), agriculture (mostly livestock grazing), and defense-related activities. There is relatively little manufacturing industry in the Region, in comparison to major urban areas of the state. Economically valuable minerals, including gold, silver, copper, sulfur, tungsten, borax, and rare earth metals have been or are being mined at various locations within the Lahontan Region.

The Lahontan Region includes over 700 lakes, 3,170 miles of streams and 1,581 square miles of groundwater basins. There are twelve major watersheds (called "hydrologic units" under the Department of Water Resources' mapping system) in the North Lahontan Basin. Among these are the Eagle Lake, Susan River/Honey Lake, Truckee, Carson, and Walker River watersheds. The South Lahontan Basin includes three major surface water systems (the Mono Lake, Owens River, and Mojave River watersheds) and a number of separate closed groundwater basins. Water quality problems in the Lahontan Region are largely related to nonpoint sources (including erosion from construction, timber harvesting, and livestock grazing), storm water, acid drainage from inactive mines, and individual wastewater disposal systems.

Colorado River Basin Region (Region 7)

The Colorado River Basin Region covers approximately 13 million acres (20,000 square miles) in the southeastern portion of California. It includes all of Imperial County and portions of San Bernardino, Riverside, and San Diego Counties. It shares a boundary for 40 miles on the northeast with the State of Nevada, on the north by the New York, Providence, Granite, Old Dad, Bristol, Rodman, and Ord Mountain ranges, on the west by the San Bernardino, San Jacinto, and Laguna Mountain ranges, on the south by the Republic of Mexico, and on the east by the Colorado River and State of Arizona. Geographically the Region represents only a small portion of the total Colorado River drainage area which includes portions of Arizona, Nevada, Utah, Wyoming, Colorado, New Mexico, and Mexico. A significant geographical feature of the Region

is the Salton Trough, which contains the Salton Sea and the Coachella and Imperial Valleys. The two valleys are separated by the Salton Sea, which covers the lowest area of the depression. The trough is a geologic structural extension of the Gulf of California.

Much of the agricultural economy and industry of the Region is located in the Salton Trough. There are also industries associated with agriculture, such as sugar refining as well as increasing development of geothermal industries. In the future, agriculture is expected to experience little growth in the Salton Trough, but there will likely be increased development of other industries (such as construction, manufacturing, and services). The present Salton Sea, located on the site of a prehistoric lake, was formed between 1905 and 1907 by overflow of the Colorado River. The Salton Sea serves as a drainage reservoir for irrigation return water and storm water from the Coachella Valley, Imperial Valley, and Borrego Valley, and also receives drainage water from the Mexicali Valley in Mexico. The Salton Sea is California's largest inland body of water and provides a very important wildlife habitat and sportfishery. Development along California's 230 mile reach of the Colorado River, which flows along the eastern boundary of the Region, include agricultural areas in Palo Verde Valley and Bard Valley, urban centers at Needles, Blythe, and Winterhaven, several transcontinental gas compressor stations, and numerous small recreational communities. Some mining operations are located in the surrounding mountains. Also the Fort Mojave, Chemehuevi, Colorado River, and Yuma Indian Reservations are located along the River.

The Region has the driest climate in California. The winters are mild and summers are hot. Temperatures range from below freezing to over 120°F. In the Colorado River valleys and the Salton Trough, frost is a rare occurrence and crops are grown year round. Snow falls in the Region's higher elevations, with mean seasonal precipitation ranging from 30 to 40 inches in the upper San Jacinto and San Bernardino Mountains. The lower elevations receive relatively little rainfall. An average four inches of precipitation occurs along the Colorado River, with much of this coming from late summer thunderstorms moving north from Mexico. Typical mean seasonal precipitation in the desert valleys is 3.6 inches at Indio and 3.2 inches at El Centro. Precipitation over the entire area occurs mostly from November through April, and August through September, but its distribution and intensity are often sporadic. Local thunderstorms may contribute all the average seasonal precipitation at one time, or only a trace of precipitation may be recorded at any locale for the entire season.

The Region provides habitat for a variety of native and introduced species of wildlife. Increased human population and its associated development have adversely affected the habitat for some species, while enhancing it for others. Large areas within the Region are inhabited by animals tolerant of arid conditions, including small rodents, coyotes, foxes, birds, and a variety of reptiles. Along the Colorado River and in the higher elevations of the San Bernardino and San Jacinto Mountains where water is more abundant, deer, bighorn sheep, and a diversity of small animals exist. Practically all of the fishes inhabiting the Region are introduced species. The most abundant species in the Colorado River and irrigation canals include largemouth bass, smallmouth bass, flathead and channel catfish, yellow bullhead, bluegill, redear sunfish, black crappie, carp, striped bass, threadfin shad, red shiner, and, in the colder water above Lake Havasu, rainbow trout. Grass carp have been introduced into sections of the All American Canal system for aquatic weed control. Fish inhabiting agricultural drains in the Region generally include mosquito fish, mollies, red shiners, carp, and tilapia, although locally significant

populations of catfish, bass, and sunfish occur in some drains. A considerable sportfishery exists in the Salton Sea, with orangemouth corvina, gulf croaker, sargo, and tilapia predominating. The Salton Sea National Wildlife Refuge and state waterfowl management areas are located in or near the Salton Sea. The refuge supports large numbers of waterfowl in addition to other types of birds. Located along the Colorado River are the Havasu, Cibola and Imperial National Wildlife Refuges. The Region provides habitat for certain endangered/threatened species of wildlife including desert pupfish, razorback sucker, Yuma clapper rail, black rail, least Bell's vireo, yellow billed cuckoo, desert tortoise, and peninsular bighorn sheep.

Santa Ana Region (Region 8)

The Santa Ana Region comprises all basins draining into the Pacific Ocean between the southern boundary of the Los Angeles Region and the drainage divide between Muddy and Moro Canyons, from the ocean to the summit of San Joaquin Hills; along the divide between lands draining into Newport Bay and Laguna Canyon to Niguel Road; along Niguel Road and Los Aliso Avenue to the divide between Newport Bay and Aliso Creek drainages; and along the divide and the southeastern boundary of the Santa Ana River drainage to the divide between Baldwin Lake and Mojave Desert drainages; to the divide between the Pacific Ocean and Mojave Desert drainages. The Santa Ana Region is the smallest of the nine regions in the state (2800 square miles) and is located in southern California, roughly between Los Angeles and San Diego. Although small geographically, the region's four-plus million residents (1993 estimate) make it one of the most densely populated regions. The climate of the Santa Ana Region is classified as Mediterranean: generally dry in the summer with mild, wet winters. The average annual rainfall in the region is about fifteen inches, most of it occurring between November and March. The enclosed bays in the Region include Newport Bay, Bolsa Bay (including Bolsa Chica Marsh), and Anaheim Bay. Principal Rivers include Santa Ana, San Jacinto and San Diego. Lakes and reservoirs include Big Bear, Hemet, Mathews, Canyon Lake, Lake Elsinore, Santiago Reservoir, and Perris Reservoir.

San Diego Region (Region 9)

The San Diego Region comprises all basins draining into the Pacific Ocean between the southern boundary of the Santa Ana Region and the California-Mexico boundary. The San Diego Region is located along the coast of the Pacific Ocean from the Mexican border to north of Laguna Beach. The Region is rectangular in shape and extends approximately 80 miles along the coastline and 40 miles east to the crest of the mountains. The Region includes portions of San Diego, Orange, and Riverside Counties. The population of the Region is heavily concentrated along the coastal strip. Six deepwater sewage outfalls and one across the beach discharge from the new border plant at the Tijuana River empty into the ocean. Two harbors, Mission Bay and San Diego Bay, support major recreational and commercial boat traffic. Coastal lagoons are found along the San Diego County coast at the mouths of creeks and rivers.

Weather patterns are Mediterranean in nature with an average rainfall of approximately ten inches per year occurring along the coast. Almost all the rainfall occurs during wet cool winters. The Pacific Ocean generally has cool water temperatures due to upwelling. This nutrient-rich water supports coastal beds of giant kelp. The cities of San Diego, National City, Chula Vista, Coronado, and Imperial Beach surround San Diego Bay in the southern portion of the Region.

San Diego Bay is long and narrow, 15 miles in length and approximately one mile across. A deep-water harbor, San Diego Bay has experienced waste discharge from former sewage outfalls, industries, and urban runoff. Up to 9,000 vessels may be moored there. San Diego Bay also hosts four major U.S. Navy bases with approximately 80 surface ships and submarines. Coastal waters include bays, harbors, estuaries, beaches, and open ocean. Deep draft commercial harbors include San Diego Bay and Oceanside Harbor and shallower harbors include Mission Bay and Dana Point Harbor. Tijuana Estuary, Sweetwater Marsh, San Diego River Flood Control Channel, Kendal-Frost Wildlife Reserve, San Dieguito River Estuary, San Elijo Lagoon, Baticuitos Lagoon, Agua Hedionda Lagoon, Buena Vista Lagoon, San Luis Rey Estuary, and Santa Margarita River Estuary are the important estuaries of the Region.

There are thirteen principal stream systems in the Region originating in the western highlands and flowing to the Pacific Ocean. From north to south these are Aliso Creek, San Juan Creek, San Mateo Creek, San Onofre Creek, Santa Margarita River, San Luis Rey River, San Marcos Creek, Escondido Creek, San Dieguito River, San Diego River, Sweetwater River, Otay River, and the Tijuana River. Most of these streams are interrupted in character having both perennial and ephemeral components due to the rainfall pattern in the region. Surface water impoundments capture flow from almost all the major stream.

ISSUE 1: REVISIONS TO SECTION 1.2 TO ALLOW ADJUSTMENT OF CRITERIA FOR METALS WITH DISCHARGE-SPECIFIC WATER EFFECT RATIOS

I. Present State Policy

Currently, the SIP allows for the development of site-specific objectives (SSO) to modify applicable priority pollutant criteria or objectives. One method for deriving SSO's is the USEPA's Water Effects Ratio (WER) procedure. Implementation procedures for the development and use of SSOs are contained in Section 5.2 of the SIP. The SIP does not allow discharge-specific WERs for metals to be used in permits. Rather, the SIP currently recognizes application of WERs for metals on a watershed basis only as part of SSO development.

II. Issue Description

Site-specific objectives are objectives that are derived to be specifically appropriate to the biological and/or chemical water quality conditions at a site. They do not change the intended level of protection of the aquatic life at the site. SSOs can be lower or higher than national criteria. Scientifically defensible methods appropriate to the situation must be used to derive the objective.

The WER Procedure is a method that takes into account the ratio of the toxicity of a chemical in the site water and in laboratory dilution water (which is used when the national criteria or objectives are developed). In 1994, the USEPA issued "Interim Guidance on the Determination and Use of Water-Effect Ratios for Metals." This guidance was issued as "interim" in order to allow for changes suggested by users. The CTR allows the use of WERs to adjust the criteria for 11 metals, provided that the WERs were developed using this guidance or other scientifically defensible methods adopted by the State.

The SIP presently allows the adjustment of the criteria/objectives for pH, and hardness, but not for WERs unless a SSO is developed. The SIP can be modified to allow for the approval of WERs as part of the permitting process. The State would need to amend the SIP to provide a formal procedure, which includes, derivation of WERs, appropriate definition of sites, and enforceable monitoring provisions to assure that designated uses are protected

III. Staff Recommendations

Modify the language of the SIP to allow RWQCBs to use discharger-specific WERs in the NPDES permitting process.

RWQCBs would address the issue of WERs in the permitting process. The development of WERs would still have to use USEPA guidance or other scientifically defensible protocols, but the approvals of WERs by the SWRCB and the USEPA through the adoption of a Basin Plan provision would not be required. The WER would be approved in the permitting process. The SWRCB and the USEPA would still be involved in the development of the WER through the public review process of the NPDES permit containing the proposed SSO and associated effluent limit.

ISSUE 2: REVISIONS TO SECTION 1.3 DETERMINATION OF PRIORITY POLLUTANTS REQUIRING WATER QUALITY-BASED EFFLUENT LIMITATIONS

I. Present State Policy

The SIP states that the RWQCB shall conduct an analysis for each priority pollutant with an applicable criterion or objective to determine if a water quality-based effluent limitation is required in the discharger's permit. The information from the analysis is used to determine if a discharge may cause, have reasonable potential to cause, or contribute to an excursion above any applicable priority pollutant criterion or objective.

Section 1.3 of the SIP outlines the steps for determining if a water quality-based effluent limitation is required for a priority pollutant, a procedure known as establishing reasonable potential. There are three triggers in the reasonable potential analysis: (1) effluent verses criteria (2) background verses criteria and (3) best professional judgement. Step 6 is the background verses criteria trigger where the reasonable potential process requires a comparison of the ambient background concentration of a pollutant to its criterion or objective. If the ambient background concentration is greater than the criterion or objective, reasonable potential is assumed and an effluent limitation is required.

II. Issue Description

According to Step 6 of Section 1.3, reasonable potential can be established based solely on water quality conditions. When a pollutant's ambient background concentration is greater than its applicable criterion or objective, the potential for water quality impairment exists. Further additions of the pollutant may potentially contribute to such impairments. Including an effluent limitation for pollutants with ambient concentration greater than or equal to a criterion or objective is a proactive means to ensure no further impairment occurs. However, this approach could be maintained by requiring dischargers to monitor for the presence of the pollutant in their effluent. Effluent data from this type of monitoring can then be used for determining reasonable potential.

III. Staff Recommendation

Modify the language of Step 6 of reasonable potential analysis.

The language would be changed to make the trigger apply only to situations where ambient background concentrations are greater than the water quality criterion or objective and the pollutant is detected in the effluent. Language would also be added to require monitoring in situations where ambient background concentrations are greater than the water quality criterion or objective and the pollutant is not detected in the effluent.

ISSUE 3: REVISIONS OF NON-REGULATORY LANGUAGE

I. Present State Policy

The SIP establishes: implementation provisions for priority toxic pollutants promulgated by the USEPA and for priority pollutant objectives established by the RWQCBs; monitoring requirements for 2,3,7,8-TCDD equivalents; and toxicity control provisions. The stated goal of the SIP is to establish a standardized approach for permitting discharges of toxic pollutants to non-ocean surface waters in a manner that promotes statewide consistency. However, some language in the SIP is unclear and therefore subject to interpretation.

II. Issue Description

RWQCB permit writers and the regulated community have indicated that some provisions in the SIP are unclear, which makes the permit-writing process more complicated. Where such a lack of clarity exists, it is possible that SIP provisions could be applied incorrectly. The lack of clarity could also result in permit requirements being inconsistent between Regions. The changes that are necessary to improve the clarity of the SIP involve adding references to applicable sections of the SIP, rephrasing sentences, and clarification of words with incorrect, vague, or multiple meanings.

III. Staff Recommendation

Modify language to improve clarity.

The changes would improve clarity and provide a better understanding of how SIP provisions are to be applied in permits. The changes would also reduce inconsistencies in permits written by different RWQCBs.

1. Page 1 of the Introduction was changed to delete the words “issuance of waiver of waste discharge requirements” from sentence 2, paragraph 1. This change further clarifies that the SIP does not apply to nonpoint sources or to storm water
2. Page 1 of the Introduction was changed to update the applicable procedural decisions and statewide general permits noted in Footnote 1.
3. Section 1.3 was changed to clarify that values for metals are to be expressed as total recoverable, rather than dissolved.
4. Section 1.3 was changed to clarify that the word “adjust” in Steps 1, 3, and 6 refers to adjusting the value for hardness and/or pH.
5. Section 1.3 was changed to add language to Step 8 that would bring finality to the reasonable potential evaluation process.
6. Section 2.4 was changed to replace the term “Reported Minimum Level” with “Reporting Level.” This change was made to prevent confusion of the term “Reported Minimum Level” with “Minimum Level.”
7. Section 2.4.1 was changed to update the date of revision for 40 CFR Part 136 from May 14, 1999 to July 3, 1999.
8. Section 5.3 was changed to clarify that the section on categorical exceptions includes “mutual water companies” as one of the entities to which the exception applies.

PROPOSED SIP REVISIONS

Presented below are the proposed revisions to the SIP.

Introduction, page 1, delete “issuance of waiver of waste discharges from sentence 2, paragraph 1; update applicable procedural decisions and statewide general permits in footnote 1.

INTRODUCTION

This state policy for water quality control (Policy), adopted by the State Water Resources Control Board on March 2, 2000 and effective by May 22, 2000 (See “Note” below), applies to discharges of toxic pollutants into the *inland surface waters, *enclosed bays, and *estuaries of California subject to regulation under the State's Porter-Cologne Water Quality Control Act (Division 7 of the Water Code) and the federal Clean Water Act (CWA). Such regulation may occur through the issuance of National Pollutant Discharge Elimination System (NPDES) permits, ~~the issuance or waiver of waste discharge requirements (WDRs)~~, or other relevant regulatory approaches.¹ The goal of this Policy is to establish a standardized approach for permitting discharges of toxic pollutants to non-*ocean surface waters in a manner that promotes statewide consistency. As such, this Policy is a tool to be used in conjunction with watershed management approaches and, where appropriate, the development of Total Maximum Daily Loads (TMDLs) to ensure achievement of water quality standards (i.e., water quality criteria or objectives, and the beneficial uses they are intended to protect, as well as the State and federal antidegradation policies).

This Policy establishes: (1) implementation provisions for priority pollutant criteria promulgated by the U.S. Environmental Protection Agency (U.S. EPA) through the National Toxics Rule (NTR)² (promulgated on December 22, 1992 and amended on May 4, 1995) and through the California Toxics Rule (CTR)³, and for priority pollutant objectives established by Regional Water Quality Control Boards (RWQCBs) in their water quality control plans (basin plans)⁴; (2) monitoring requirements for 2,3,7,8-TCDD equivalents; and (3) chronic toxicity control provisions. In addition, this Policy includes special provisions for certain types of discharges and factors that could affect the application of other provisions in this Policy. ~~With respect to nonpoint source discharges, only section 5.1 applies.~~

Note: This Policy was effective on April 28, 2000 with respect to the priority pollutant criteria promulgated by the U.S. EPA through the National Toxics Rule and to the priority pollutant objectives established by Regional Water Quality Control Boards in their water quality control plans (basin plans), with the exception of the provision on alternate test procedures in section 2.3., item (1). The alternate test procedures provision was effective on May 22, 2000. This Policy was effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the U.S. EPA through the California Toxics Rule.

¹ This Policy does not apply to discharges of toxic pollutants from combined sewer overflows. These discharges will continue to be regulated in accordance with the federal “Combined Sewer Overflow (CSO) Control Policy,” published April 19, 1994 (59 Fed. Register 18688-18698). This Policy does not apply to regulation of storm water discharges. The SWRCB has adopted precedential decisions addressing regulation of municipal storm water discharges in Orders WQ 91-03, 91-04, 96-13, 98-01, ~~and 99-05, and 2001-15~~. The SWRCB has also adopted two statewide general permits regulating the discharge of pollutants contained in storm water from industrial and construction activities. See SWRCB Orders 99-08-DWQ and 97-03-DWQ. This Policy does not apply to regulation

of nonpoint source discharges.

² 40 CFR 131.36

³ 65 Fed. Register 31682-31719 (May 18, 2000), adding Section 131.38 to 40 CFR.

⁴ If a water quality objective and a CTR criterion are in effect for the same priority pollutant, the more stringent of the two applies.

Section 1.2 Data Requirements and Adjustments, page 3, modify language to allow RWQCBs to use discharge-specific WERs in the NPDES permitting process

1.2 Data Requirements and Adjustments

~~The RWQCB may adjust the criteria/objective for metals with discharger-specific Water Effect Ratios, established in accordance with EPA guidance – Interim Guidance on Determination and use of Water Effect Ratios for Metals (EPA-823-B-94-001), if appropriate⁷. The RWQCB shall issue Water Code Sections 13267 or 13383 letters to all NPDES dischargers within their respective regions requiring the submittal of data sufficient to conduct the determination based on the analysis in section 1.3 and to calculate water quality-based effluent limitations in accordance with section 1.4 (excluding the development of a translator in accordance with section 1.4.1). The letter shall specify a time schedule for providing the data to the RWQCB that is as short as practicable but not to exceed three years from the effective date of this Policy. If the NPDES permit is reissued prior to completing the requirements, the schedule shall be included in the permit as interim requirements (in accordance with section 2.2.2). The permit shall be reopened to establish water quality-based effluent limitations, if necessary.~~

It is the discharger's responsibility to provide all data and other information requested by the RWQCB before the issuance, reissuance, or modification of a permit to the extent feasible. When implementing the provisions of this Policy, the RWQCB shall use all available, valid, relevant, representative data and information, as determined by the RWQCB. The RWQCB shall have discretion to consider if any data are inappropriate or insufficient for use in implementing this Policy. Instances where such consideration is warranted include, but are not limited to, the following: evidence that a sample has been erroneously reported or is not representative of effluent or ambient receiving water quality; questionable quality control/quality assurance practices; and varying seasonal conditions. The lack of a site-specific objective for a priority pollutant shall not be considered insufficient data.

When implementing the provisions of this Policy, the RWQCB shall ensure that criteria/objectives are properly adjusted for hardness or pH, if applicable, using the hardness or pH values for the receiving water, and that translators are appropriately applied (in accordance with section 1.4.1), if applicable. The RWQCB shall also ensure that pollutant and flow data are expressed in the appropriate forms and units for purposes of comparability and calculations.

⁷ A Water Effect Ratio may also be used to develop a site-specific metal objective, as described in Section 5.2.

Section 1.3 Determination of Priority Pollutants Requiring Water Quality-Based Effluent Limitations, page 4, (1) clarification that values for metals are to be expressed as total recoverable; (2) clarification that the word “adjust” in steps 1, 3, and 6 refers to adjusting values for hardness and/or pH; (3) modify step 6 to make the trigger apply only to situations where ambient background concentrations are greater than the water quality criterion or objective and the pollutant is detected in the effluent, require monitoring in situations where ambient background concentrations are greater than the water quality criterion or objective and the pollutant is not detected in the effluent, and make corresponding changes to Steps 7 and 8; (4) add language to Step 8 that would bring finality to the reasonable potential process.

1.3 Determination of Priority Pollutants Requiring Water Quality-Based Effluent Limitations

The RWQCB shall conduct the analysis in this section for each priority pollutant with an applicable criterion or objective, excluding priority pollutants for which a Total Maximum Daily Load (TMDL) has been developed, to determine if a water quality-based effluent limitation is required in the discharger’s permit. It is the discharger’s responsibility to provide all information requested by the RWQCB for use in the analysis. The RWQCB shall use all available, valid, relevant, representative information, as described in section 1.2, to determine whether a discharge may: (1) cause, (2) have a reasonable potential to cause, or (3) contribute to an excursion above any applicable priority pollutant criterion or objective. If the following analysis (which is depicted as a flowchart in Appendix 2) indicates that a limitation for a pollutant is required, the RWQCB shall establish the limitation in accordance with section 1.4. Within each step below, if it is necessary to express a dissolved metal or selenium value as total recoverable and a site-specific translator has not yet been developed, as described in section 1.4.1, the RWQCB shall use the applicable U.S. EPA conversion factor (Appendix 3).

Step 1: Identify applicable water quality criteria and objectives for priority pollutants as described in section 1.1. Determine the lowest (most stringent) water quality criterion or objective for the pollutant applicable to the receiving water (C). Adjust the criterion or objective for hardness and/or pH, if applicable, as described in section 1.2. ~~If it is necessary to express a dissolved metal or selenium criterion/objective as total recoverable and a site-specific translator has not yet been developed, as described in section 1.4.1, the RWQCB shall use the applicable U.S. EPA conversion factor (Appendix 3).~~

Step 2: Identify all effluent data for the pollutant as described in section 1.2 and proceed with *Step 3*. If effluent data are unavailable or insufficient, as described in section 1.2, proceed with *Step 5*.


Step 3: Determine the observed maximum pollutant concentration for the effluent (MEC). If the pollutant is detected, proceed with *Step 4*. If the pollutant was **not** detected in any of the effluent samples **and** any of the reported detection limits are below the C, use the lowest detection limit as the MEC and proceed with *Step 4*. If the pollutant was **not** detected in any of the effluent samples **and** all of the reported detection limits are greater than or equal to the C value, proceed with *Step 5*.

Step 4: Adjust the MEC from *Step 3* for hardness and/or pH, if applicable, as described in section 1.2. Compare the MEC from *Step 3* or the adjusted MEC to the C from *Step 1*. If the MEC is greater than or equal to the C, an effluent limitation is required and the analysis for the subject pollutant is complete. If the MEC is less than the C, proceed with *Step 5*.

Step 5: Determine the observed maximum ambient background concentration for the pollutant (B) as described in section 1.4.3.1. If the pollutant is detected, proceed with *Step 6*. If B data are unavailable or insufficient or all ND, as described in section 1.2, proceed with *Step 7*.

Step 6: Adjust the B from *Step 5* for hardness and/or pH, if applicable, as described in section 1.2. Compare the B from *Step 5* or the adjusted B to the C from *Step 1*. If the B is greater than the C and the pollutant is detected in the effluent, then an effluent limitation is required and the analysis for the subject pollutant is complete. If B is greater than the C and the pollutant is not detected in any of the effluent samples, effluent monitoring is required as described in *Step 8*. If the B is less than or equal to the C, proceed with *Step 7*.

Step 7: Review other information available to determine if a water quality-based effluent limitation is required, notwithstanding the above analysis in *Steps 1* through *5*, to protect beneficial uses.

Information that may be used to aid in determining if a water quality-based effluent limitation is required includes: the facility type, the discharge type, solids loading analysis, lack of dilution, history of compliance problems, potential toxic impact of discharge, fish tissue residue data, water quality and beneficial uses of the receiving water, CWA 303(d) listing for the pollutant, the presence of endangered or threatened species or critical habitat, and other information. If data or other information is unavailable or insufficient, as described in section 1.2, to determine if a water quality-based effluent limitation is required, proceed with *Step 8* 

Step 8: If data are unavailable or insufficient, as described in section 1.2, to conduct the above analysis for the pollutant, or if all reported detection limits of the pollutant in the effluent are greater than or equal to the C value, the RWQCB shall ~~establish interim requirements, in accordance with section 2.2.2, that~~ require additional monitoring for the pollutant in place of a water quality-based effluent limitation. Upon completion of the required monitoring, the RWQCB shall use the gathered data to conduct the analysis in *Steps 1* through *7* above and determine if a water quality-based effluent limitation is required. If, upon completion of the monitoring required by Step 8 and the subsequent analysis in Steps 1 through 7, a specific pollutant was not detected in any effluent or if ambient background sample and applicable detection limits are greater than or equal to the C value, the RWQCB may require periodic monitoring of the pollutant.

The RWQCB shall require periodic monitoring (at least once prior to the issuance and reissuance of a permit) for pollutants for which criteria or objectives apply and for which no effluent limitations have been established; however, the RWQCB may choose to exempt low volume discharges, determined to have no significant adverse impact on water quality, from this monitoring requirement.

Section 2.2.2 Interim Requirements for Providing Data, page 21, delete the section and reserve for future use.

2.2.2 Reserved Interim Requirements for Providing Data

~~The RWQCB may determine, based on a discharger's request and/or a demonstration of necessity, that it is appropriate to establish a schedule of interim requirements regarding the implementation of a CTR criterion. Such interim schedules may be established based on a consideration of time needed to collect sufficient data to: (1) determine whether effluent limitations are needed (as described in section 1.3); and (2) calculate effluent limitations (as described in section 1.4), including developing a site-specific translator (as described in section 1.4.1) and conducting a mixing zone study (as described in section 1.4.2).~~

~~If a discharger makes a successful demonstration, as determined by the RWQCB, that available data are insufficient, the permit provisions shall specify a schedule not to exceed three years from the effective date of this Policy¹¹ that contains interim requirements and dates for their achievement. There shall be no more than one year between interim dates. The interim requirements shall state that the discharger must notify the RWQCB, in writing, no later than 14 days following each interim date, of its compliance or noncompliance with the interim requirements (or must submit a progress report, if applicable). Additional requirements that are specific to two situations follow:~~

~~A. Insufficient Data to Determine if an Effluent Limitation for a CTR Criterion is Needed~~

~~—The RWQCB shall not establish in the NPDES permit numeric interim limitations, and source control or *pollutant minimization measures, for the pollutant, but shall instead require the discharger to collect the needed data. These data requirements should be sufficient to contribute to the data needs for both sections 1.3 and 1.4. When the needed data have been provided in accordance with the interim requirements, the RWQCB shall determine, based on the data and the section 1.3 procedure, if water quality based effluent limitations are necessary for the pollutant. If the RWQCB determines that effluent limitations are needed, the RWQCB shall calculate them, reopen the permit, and include the calculated effluent limitations in the permit provisions.~~

~~B. Insufficient Data to Calculate a Final Effluent Limitation for a CTR Criterion~~

~~—The RWQCB shall establish in the NPDES permit numeric interim limitations, and may also establish other interim requirements such as requiring the discharger to implement *pollutant minimization and/or source control measures and participate in the activities necessary to develop final effluent limitations. Numeric interim limitations for the pollutant must be based on current treatment facility performance or on existing permit limitations, whichever is more stringent. If the existing permit limitations are more stringent, and the discharger is not in compliance with those limitations, the noncompliance under the existing permit must be addressed through appropriate enforcement action before the permit can be reissued, unless antibacksliding provisions are met.~~

Permit findings shall also state the appropriate enforcement actions that may be taken by the RWQCB if interim limitations and requirements are not met. Except as provided in section 1.4.1 (for a translator study), the permit provisions shall not include a final effluent limitation, but the permit findings shall include: (1) the water quality to be achieved; (2) the reason that a final water quality based effluent limitation is not being incorporated into the permit as an enforceable limitation at this time; (3) a statement that it is the intent of the RWQCB to include the final water quality based effluent limitation as an enforceable limitation in a subsequent permit revision, and that the final water quality based effluent limitation will be based either on the water quality criterion or on future regulatory developments; and (4) a schedule for development of a final water quality based effluent limitation. When interim requirements have been completed, the RWQCB shall calculate final water quality based effluent limitations for that pollutant based on the collected data, reopen the permit, and include the final effluent limitations in the permit provisions. Once final limitations become effective, the interim limitations will no longer apply.

^{††}—Note that the schedule to submit a translator for approval by the RWQCB is up to two years from the date of issuance/reissuance of the permit (as described in section 1.4.1).

Section 2.4 Reporting Requirements, page 23, replace occurrences of “Reported Minimum Level” with “Reporting Level” and reference the most recent version of 40 CFR Part 136.

2.4 Reporting Requirements

The discharger shall submit to the RWQCB reports necessary to determine compliance with effluent limitations for priority pollutants in permits. The reports shall comply with the requirements of sections 2.4.1 through 2.4.4.

2.4.1 Reporting Levels

The RWQCB shall require in the permit that the discharger shall report with each sample result:

1. The applicable ~~*Minimum Level (ML)~~ Reporting Level (RL) (selected from the MLs listed in Appendix 4 in accordance with section 2.4.2 or established in accordance with section 2.4.3); ~~this ML is the “reported ML”~~ and
2. The laboratory’s current ~~*Method Detection Limit (MDL)~~, as determined by the procedure found in 40 CFR 136 (revised as of ~~May 14~~ July 3, 1999).

2.4.2 Selection and Use of Appropriate ML Value

Reporting Level ML Selection: When there is more than one ML value for a given substance, the RWQCB shall ~~cite for inclusion~~ include as RLs, in the permit, all ML values, and their associated analytical methods, listed in Appendix 4 that are below the calculated effluent limitation. The discharger may select any one of those cited analytical methods for compliance

determination. If no ML value is below the effluent limitation, then the RWQCB shall select as the RL, the lowest ML value, and its associated analytical method, listed in Appendix 4 for inclusion in the permit.

ML Usage: The ML value in Appendix 4 represents the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. Assuming that all method-specific analytical steps are followed, the ML value will also represent, after the appropriate application of method-specific factors, the lowest standard in the calibration curve for that specific analytical technique. Common analytical practices sometimes require different treatment of the sample relative to calibration standards. Some examples are given below:

<u>Substance or Grouping</u>	<u>Method-Specified Treatment</u>	<u>Most Common Method-Specific Factor(s)</u>
Volatile organic	No differential treatment	1
Semi-Volatile organic	Samples concentrated by extraction	1000
Metals	Samples diluted or concentrated	½, 2, and 4
Pesticides	Samples concentrated by extraction	100

Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied in the computation of the reporting limit. Application of such factors will alter the ~~reported ML~~ RL (as described in section 2.4.1).

Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the discharger to use analytical data derived from *extrapolation* beyond the lowest point of the calibration curve. The discharger's laboratory(ies) may, as allowed for by the rules governing alterations to ML values in section 2.4.3 below, employ a calibration standard lower than the ML value in Appendix 4.

2.4.3 Deviation from MLs Listed in Appendix 4

The RWQCB, in consultation with the SWRCB's Quality Assurance Program, shall establish ~~an ML~~ a RL that is not ~~contained an ML~~ in Appendix 4 to be included in the discharger's permit in any of the following situations:

1. When the pollutant under consideration is not included in Appendix 4.
2. When the discharger and the RWQCB agree to include in the permit a test method that is more sensitive than those specified in 40 CFR 136 (revised as of ~~May 14~~ July 3, 1999).
3. When a discharger agrees to use ~~an ML~~ a RL that is lower than ~~those~~ the MLs listed in Appendix 4.

4. When a discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Appendix 4 and proposes an appropriate ML for their matrix.
5. When the discharger uses a method whose quantification practices are not consistent with the definition of an ML. Examples of such methods are the U.S. EPA-approved method 1613 for dioxins and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the discharger, the RWQCB, and the SWRCB shall agree on a lowest quantifiable limit and that limit will substitute for the ~~ML~~ RL for reporting and compliance determination purposes.

2.4.4 Reporting Protocols

The discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

1. Sample results greater than or equal to the ~~reported ML~~ RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
2. Sample results less than the ~~reported ML~~ RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The *estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc.>"). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (\pm a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

3. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

2.4.5 Compliance Determination

Compliance with effluent limitations shall be determined as follows:

1. Dischargers shall be deemed out of compliance with an effluent limitation, for reporting and administrative enforcement purposes if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the ~~reported ML~~ RL.
2. Dischargers shall be required to conduct a Pollutant Minimization Program (PMP) in accordance with section 2.4.5.1 when there is evidence (e.g., sample results reported as DNQ when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods included in the permit in accordance with sections 2.4.2 or 2.4.3 above, presence of whole effluent toxicity, health advisories for fish

consumption, results of benthic or aquatic organism tissue sampling) that the priority pollutant is present in the effluent above an effluent limitation and either:

- a. A sample result is reported as DNQ and the effluent limitation is less than the ~~reported~~ ML RL; or
- b. A sample result is reported as ND and the effluent limitation is less than the MDL.

RWQCBs may include special provisions in the permit to require the gathering of evidence to determine whether the constituent of concern is present in the effluent at levels above a calculated effluent limitation.

When determining compliance with an AMEL and more than one sample result is available in a month, the discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of DNQ or ND. In those cases, the discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

If a sample result, or the arithmetic mean or median of multiple sample results, is below the ~~reported ML RL~~, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a PMP (as described in section 2.4.5.1), the discharger shall not be deemed out of compliance.

Section 5. Special Provision, page 30, delete section 5.1 Nonpoint Source Discharges and reserve the section number.

5. SPECIAL PROVISIONS

The following sections include provisions that address certain discharges and factors that could affect the application of other provisions in this Policy. They include: ~~(1) nonpoint source discharges (section 5.1); (2) site-specific objectives (section 5.2); and (3) exceptions to the Policy provisions (section 5.3).~~

5.1 ~~Nonpoint Source Discharges~~ Reserved

~~It is the intent of the SWRCB, in adopting this Policy, that the implementation of the priority pollutant criteria/objectives and other requirements of this Policy for nonpoint source discharges~~

shall be consistent with the State's ~~“three-tiered approach”~~ for nonpoint sources. The three tiers, listed in order of increasing stringency, are:

~~Tier 1.—Self-determined implementation of management practices (such as BMPs).~~

~~Tier 2.—Regulatory based encouragement of BMPs (through, e.g., WDR waivers conditioned on BMP implementation or management agency agreements between the SWRCB and/or RWQCBs and other agencies with authority to enforce BMPs).~~

~~Tier 3.—Effluent limitations and enforcement (through, e.g., WDRs, time schedule orders, cease and desist orders, and cleanup and abatement orders).~~

~~The RWQCBs may select the appropriate tier, or combination of tiers, to address nonpoint source discharges of priority pollutants. The SWRCB, in adopting this Policy, understands that nonpoint source pollution control can best be achieved through the cooperative efforts of the dischargers, other interested persons, and the SWRCB and RWQCBs.~~

Section 5.3 Exceptions, Categorical Exceptions, page 32, add “mutual water companies” as one of the entities to which the exception applies.

5.3 Exceptions

Categorical and case-by-case exceptions to this Policy may be granted pursuant to the provisions below.

Categorical Exceptions

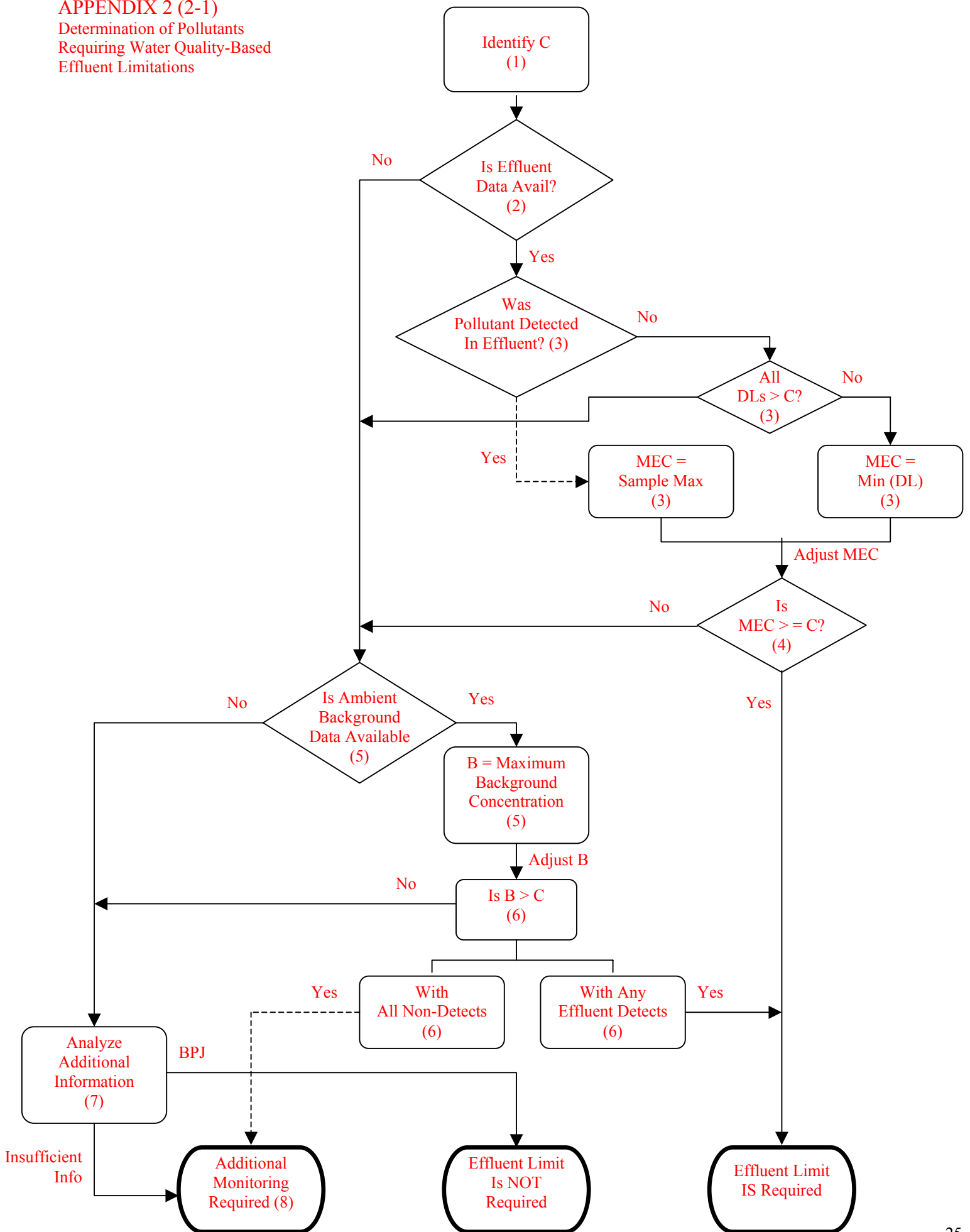
The RWQCB may, after compliance with the California Environmental Quality Act (CEQA), allow short-term or seasonal exceptions from meeting the priority pollutant criteria/objectives if determined to be necessary to implement control measures either:

1. for resource or pest management (i.e., vector or weed control, pest eradication, or fishery management) conducted by *public entities or mutual water companies to fulfill statutory requirements, including, but not limited to, those in the California Fish and Game, Food and Agriculture, Health and Safety, and Harbors and Navigation codes; or
2. regarding drinking water conducted to fulfill statutory requirements under the federal Safe Drinking Water Act or the California Health and Safety Code. Such categorical exceptions may also be granted for draining water supply reservoirs, canals, and pipelines for

maintenance, for draining municipal storm water conveyances for cleaning or maintenance, or for draining water treatment facilities for cleaning or maintenance.

Appendix 2 Determination of Pollutants Requiring Water Quality-Based Effluent Limitations, replace existing flowchart with the following flowchart.

APPENDIX 2 (2-1)
Determination of Pollutants
Requiring Water Quality-Based
Effluent Limitations



ENVIRONMENTAL CHECKLIST

Environmental Checklist Form




1. Project title: Triennial Review of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP), 2000.
2. Lead agency name and address:
State Water Resources Control Board
Division of Water Quality
1001 I Street, 15th Floor
Sacramento, California 95814
3. Contact person and phone number:
Gerald Bowes
916-341-5567
4. Description of project:
Revisions to Sections 1.3, 5.2 and non-regulatory language throughout portions of the SIP.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:





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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

EVALUATION OF ENVIRONMENTAL IMPACTS:

	Non-regulatory changes
	Ambient Background Trigger
	Water Effects Ratio

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

The revisions to the SIP will not impact designated scenic vistas or highways, or have a demonstrable negative aesthetic affect, or result in increase glare.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not convert any land including farmland, change existing zoning for agricultural use, or change any existing environment due to its location or nature that could result in the conversion of farmland to non-agricultural use.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

The proposed SIP revisions will not adversely affect air quality, result in increase exposure to sensitive species through the air pathway, or result in changes in temperature, humidity, precipitation, winds, cloudiness, or other atmospheric conditions.

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓ ✓ ✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓ ✓ ✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓ ✓ ✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓ ✓ ✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓ ✓ ✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓ ✓ ✓

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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The revisions proposed in this document are not expected to cause any adverse effects to plants and animals, including rare, threatened, or endangered species. Protection of biological species has not been altered.

V. CULTURAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-----|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |

The proposed revisions will have no direct or indirect impact on any cultural resources.

VI. GEOLOGY AND SOILS -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-----|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not affect any geologic or soil conditions.

VII. HAZARDS AND HAZARDOUS MATERIALS B Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will have no impact to the above areas.

VIII. HYDROLOGY AND WATER QUALITY

-- Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The revisions will not affect absorption rates, drainage patterns, surface runoff, flooding quantity or quality of surface or groundwater, surface water currents, or groundwater flow or supply. These revisions do not change the protection of water quality compared to the original SIP.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Conflict with any applicable habitat conservation plan or natural community	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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conservation plan?

The proposed revisions will not require specific property to be used in any way or prohibit property use.

X. MINERAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-----|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |

The proposed revisions will not result in the loss, recovery, or interfere with a plan regarding mineral resources.

XI. NOISE B Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-----|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| 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 expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓✓✓ |
| f) For a project within the vicinity of a private | | | | |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not result in an increase in existing noise levels or cause exposure of people to severe noise levels.

XII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The revisions will not affect population growth, development patterns, or affect existing housing.

XIII. PUBLIC SERVICES

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not result in any adverse impacts to fire, police, schools, parks, or other public facilities.

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not increase the use of parks, recreational facilities or require construction or expansion of recreational facilities that would physically effect the environment.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not impact existing transportation or traffic circulation patterns.

XVI. UTILITIES AND SERVICE SYSTEMS B
Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
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 projects projected demand in addition to the providers existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not impact any utility or service systems.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓✓✓

The proposed revisions will not degrade the quality of the environment, substantially reduce fish or wildlife habitat, cause fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community. The revisions will not cause effects on human beings directly or indirectly.