

Notice of Completion & Environmental Document Transmittal

Appendix C

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: _____

Lead Agency: _____ Contact Person: _____

Mailing Address: _____ Phone: _____

City: _____ Zip: _____ County: _____

Project Location:

County: _____ City/Nearest Community: _____

Cross Streets: _____ Zip Code: _____

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: _____ Waterways: _____

Airports: _____ Railways: _____ Schools: _____

Document Type:

- | | | | |
|--------------------------------------|--|------------------------------------|--|
| CEQA: <input type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement/Subsequent EIR | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | (Prior SCH No.) _____ | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Mit Neg Dec | <input type="checkbox"/> Other _____ | <input type="checkbox"/> FONSI | |

Local Action Type:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> General Plan Update | <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other _____ |

Development Type:

- | | |
|---|---|
| <input type="checkbox"/> Residential: Units _____ Acres _____ | <input type="checkbox"/> Water Facilities: Type _____ MGD _____ |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Transportation: Type _____ |
| <input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input type="checkbox"/> Educational _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input type="checkbox"/> Recreational _____ | <input type="checkbox"/> Hazardous Waste: Type _____ |
| Total Acres (approx.) _____ | <input type="checkbox"/> Other: _____ |

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

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

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

Revised 2004

Reviewing Agencies Checklist

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input checked="" type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Highway Patrol | <input checked="" type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input checked="" type="checkbox"/> Caltrans Planning (Headquarters) | <input checked="" type="checkbox"/> Reclamation Board |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input checked="" type="checkbox"/> Regional WQCB # 1,2 |
| <input checked="" type="checkbox"/> Coastal Commission | <input checked="" type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Colorado River Board | <input checked="" type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Energy Commission | <input checked="" type="checkbox"/> SWRCB: Clean Water Grants |
| <input checked="" type="checkbox"/> Fish & Game Region # 1,3 | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input checked="" type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Forestry & Fire Protection | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Health Services, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Integrated Waste Management Board | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |
| <input checked="" type="checkbox"/> Office of Emergency Services | |

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

Starting Date July 19, 2006 Ending Date August 25, 2006

Lead Agency (Complete if applicable):

Consulting Firm: <u>North State Resources, Inc.</u>	Applicant: <u>State Water Resources Control Board</u>
Address: <u>1321 20th Street</u>	Address: <u>P.O. Box 2000, 1001 I Street, 14th Floor</u>
City/State/Zip: <u>Sacramento, CA 95814</u>	City/State/Zip: <u>Sacramento, CA 95812-2000</u>
Contact: <u>Kerri Mikkelsen Rose</u>	Phone: <u>916.341.5426</u>
Phone: <u>916.446.2566</u>	

Signature of Lead Agency Representative: *Victoria A. Whitney* Date: 7/19/06

**NOTICE OF PREPARATION OF A SUBSTITUTE ENVIRONMENTAL DOCUMENT (SED) AND
NOTICE OF PUBLIC SCOPING MEETING FOR THE NORTH COAST INSTREAM FLOW POLICY**



PROJECT LOCATION / POLICY AREA

If you would like to remain on the mailing list and receive future announcements about the North Coast Instream Flow Policy, please provide a mailing address and/or email address below and return this form by August 25, 2006, to the State Water Resources Control Board, Division of Water Rights: Karen Niiya; P.O. Box 2000, 1001 I Street, 14th Floor; Sacramento, CA 95812-2000

Name	Agency	Email	
Street	City	State	Zip Code

Notice of Preparation

Form B

To: State Clearinghouse, Governor's Office of Planning and Research
(Agency)
P.O. Box 3044
(Address)
Sacramento, CA 95812-3044

Subject: Notice of Preparation of a Draft Substitute Environmental Document

Lead Agency:	Consulting Firm (If applicable):
Agency Name <u>State Water Resources Control Board</u>	Firm Name <u>North State Resources, Inc.</u>
Street Address <u>P.O. Box 2000, 1001 I Street, 14th Floor</u>	Street Address <u>1321 20th Street</u>
City/State/Zip <u>Sacramento, CA 95812-2000</u>	City/State/Zip <u>Sacramento, CA 95814</u>
Contact <u>Karen Niiya or Eric Oppenheimer</u>	Contact <u>Kerri Mikkelsen Rose</u>

The State Water Board's Division of Water Rights (Division) will prepare a Substitute Environmental Document for the proposed North Coast Instream Flow Policy. Although the adoption of state policy for water quality control is exempt from the California Environmental Quality Act (CEQA) requirement to prepare a Negative Declaration or an Environmental Impact Report, (Cal. Code Regs., tit. 14, §§ 15250, 15251, subd. (g)), a Substitute Environmental Document must be prepared for the project. The Substitute Environmental Document will evaluate the potential environmental impacts of the policy and any alternatives or mitigation measures necessary to avoid any significant environmental impacts.

The Division is seeking comments from trustee agencies and interested persons concerning the scope and content of the environmental information to be included in the Substitute Environmental Document.


Please send your response to **Karen Niiya or Eric Oppenheimer** at the address shown above. We will need the name for a contact person in your agency.

The Environmental Checklist may be obtained via the Internet on the State Water Board Website at: http://www.waterrights.ca.gov/HTML/instreamflow_nccs.html

You may also receive a copy by writing to the Division of Water Rights, State Water Resources Control Board; 1001 I Street, 14th Floor, P.O. Box 2000; Sacramento, CA 95812, or by contacting Karen Niiya or Eric Oppenheimer at (916) 341-5426, FAX: (916) 341-5400, email: FlowPolicy@waterboards.ca.gov

Project Title: North Coast Instream Flow Policy Substitute Environmental Document

Project Location: Not applicable Napa, Marin, Sonoma, Humboldt & Mendocino
City (nearest) Counties

Name Victoria A. Whitney Signature  Date 7/19/06
Title Chief, Division of Water Rights, State Water Resources Control Board Telephone (916) 341-5426

DATE: July 19, 2006
TO: Distribution List
FROM: State Water Resources Control Board, Division of Water Rights (Division)
SUBJECT: North Coast Instream Flow Policy – Notice of Preparation of a Substitute Environmental Document and Notice of Scoping Meeting

Effective January 1, 2005, Assembly Bill 2121 (Stats. 2004, ch. 943, § 3) added section 1259.4 to the Water Code, which requires the State Water Resources Control Board (State Water Board) to adopt principles and guidelines for maintaining instream flows in coastal streams from the Mattole River to San Francisco and in coastal streams entering northern San Pablo Bay, for purposes of water right administration (North Coast Instream Flow Policy).

The purpose of this Notice of Preparation is: (1) to advise trustee agencies and interested persons that the State Water Board intends to prepare a Substitute Environmental Document for the North Coast Instream Flow Policy, and (2) to seek input on significant environmental issues, reasonable alternatives, and mitigation measures that should be addressed in the Substitute Environmental Document. (No responsible agencies exist for this project because no other agency has authority to carry out or approve the North Coast Instream Flow Policy. Other agencies may have authority to carry out or approve activities that will be subject to the policy, but the project in this case is the policy itself, not the activities that may be subject to the policy.)

Responses to this Notice of Preparation must be received in writing by the close of business on August 25, 2006. Responses must be received on schedule to allow complete consideration of all concerns.

A public scoping meeting has been scheduled to explain the policy and provide other information to trustee agencies and the interested public. The public scoping meeting will also provide agency personnel and concerned public citizens the chance to submit written comments concerning the range of actions, policy alternatives, mitigation measures, and significant effects that should be analyzed in the Substitute Environmental Document. The public scoping meeting has been scheduled for:

Two Sessions | 3:00 PM – 5:00 PM or 5:30 – 7:30 PM | **August 16, 2006** |
North Coast Regional Water Quality Control Board; 5550 Skylane Blvd., Suite A; Santa Rosa, CA

1.0 Project Description

The primary objective of the proposed project is to develop a State Water Board policy that provides, through the State Water Board's administration of water rights, for the maintenance of instream flows in coastal streams from the Mattole River to San Francisco Bay and in coastal streams entering northern San Pablo Bay. The policy is likely to address the State Water Board's administration of water right applications; small domestic use and livestock stockpond registrations; existing permits and licenses; change petitions, including transfers, time extensions, and wastewater change petitions. In addition, the Division proposes to include an enforcement element as part of the policy that will govern water right enforcement actions in the coastal streams described above.

In developing the policy, Water Code section 1259.4 authorizes the State Water Board to consider the Draft "Guidelines for Maintaining Instream Flows to Protect Fisheries Resources Downstream of Water Diversions in Mid-California Coastal Streams," which were developed in 2002 by the National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (DFG) (NMFS-DFG Draft Guidelines). Accordingly, the Division proposes to evaluate in the Substitute Environmental Document a policy based on the NMFS-DFG Draft Guidelines.

The NMFS-DFG Draft Guidelines were recommended for use by permitting agencies (including the State Water Board), planning agencies, and water resources development interests when evaluating proposals to divert water from northern California coastal streams. The NMFS-DFG Draft Guidelines were developed to protect and restore anadromous salmonids and their habitat. The Division currently considers the NMFS-DFG Draft Guidelines when reviewing water right applications, but the guidelines have not been adopted as formal State Water Board policy. The NMFS-DFG Draft Guidelines are available at: <http://swr.nmfs.noaa.gov/hcd/policies/Waterdiversion%20guidelines.pdf>

The NMFS-DFG Draft Guidelines recommend that terms and conditions be included in new water right permits for small diversions to protect fishery resources in the absence of site-specific biologic and hydrologic assessments. (Small diversions are defined as direct diversions of three cubic feet per second or less, or diversions to storage of 200 acre-feet per annum or less.) Specifically, the NMFS-DFG Draft Guidelines recommend:

- limiting new water right permits to diversions during the winter period (December 15–March 31) when stream flows are generally high;
- maintaining minimum bypass flows and cumulative maximum rates of diversion to ensure that streams are adequately protected from new winter diversions;
- conserving the natural hydrograph and avoiding significant cumulative impacts by limiting the maximum cumulative volume of water that can be diverted in a watershed;
- constructing storage ponds off-stream rather than on-stream; and
- providing fish screens and fish passage facilities where appropriate.

The Division anticipates that the policy that will be evaluated in the Substitute Environmental Document will cover the same issues as the NMFS-DFG Draft Guidelines, but specific details or criteria may differ. For example, the policy may be expanded to cover small domestic use and livestock stockpond registrations, change petitions, and time extension petitions.

2.0 Project Location / Policy Area

The North Coast Instream Flow Policy will cover the same geographic area as the NMFS-DFG Draft Guidelines, including all coastal streams from the mouth of the Mattole River south to San Francisco Bay and coastal streams entering northern San Pablo Bay. This area includes approximately 5,900 stream miles and encompasses 3.1 million watershed acres (4,900 square miles) including all of Marin and Sonoma counties and portions of Napa, Mendocino, and Humboldt counties (policy area), as indicated on the map.

3.0 Potential Alternatives

No policy alternatives have yet been identified as of the issuance of this Notice of Preparation. The Division seeks additional data and input on policy alternatives from trustee agencies, Tribes, and the interested public. At a minimum, any proposed policy alternatives must be designed to maintain instream flows in coastal streams through water right administration, as required by Water Code section 1259.4. The Division will consider all comments and available and relevant information received during the scoping process.

4.0 Probable Environmental Effects to be Analyzed in the Substitute Environmental Document

The adoption of the North Coast Instream Flow Policy is a certified regulatory program, and therefore is exempt from the requirement to prepare an Environmental Impact Report or Negative Declaration. (Cal. Code Regs., tit. 14, §§ 15250, 15251, subd. (g).) The Division has determined that a Substitute Environmental Document is required for the proposed project. It has also determined that the following environmental issue areas will be evaluated in the Substitute Environmental Document: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Recreation, and Utilities and Service Systems.

For purposes of CEQA, the proposed project is adoption of the North Coast Instream Flow Policy. The policy itself will not approve any particular water diversion projects. Moreover, in general, the policy will operate to protect the environment by ensuring that water rights are administered in a manner designed to maintain instream flows. Adoption and implementation of the policy could, however, lead diverters to take actions that could result in indirect environmental impacts.

Future actions that could occur as a result of adoption and implementation of the policy include the removal of existing, on-stream storage reservoirs and the construction of off-stream storage reservoirs. These construction activities could cause short-term impacts such as the following: increases in sediment discharged to streams due to construction or dam removal, temporary visual disturbances due to earthwork activities and vehicular traffic, temporary increases in air pollution from particulate matter and ozone, potential for site-specific erosion, temporary use of hazardous materials, temporary noise impacts, and temporary increases in solid waste generation.

The removal of on-stream reservoirs as a result of adoption and implementation of the policy also could cause long-term impacts. These could include: loss of wetlands, which could adversely affect species that rely on those wetlands for habitat and food; changes to channel and floodplain maintenance processes and riparian zone characteristics, which could affect habitat conditions; a reduction in available storm flow storage capacity, which could cause increased runoff during storm events, increased potential for downstream flooding, increased sedimentation, the potential for mudflow, and the potential for downstream dam failures; a reduction in emergency fire suppression water supplies; and a loss of recreational opportunities such as swimming and fishing.

Adoption and implementation of the policy also could lead water diverters to switch to alternative water supplies in order to avoid any limitations applicable to new water right applications that may be contained in the policy. Some diverters might switch to groundwater pumping, which could impact groundwater levels, potentially resulting in a reduction in summer instream flows. Other diverters might choose to directly divert under riparian rights, instead of seasonally storing water, for which a permit is required. An increased reliance on riparian rights could result in increased surface water diversions during the spring, summer, and fall, potentially reducing instream flows to levels that might cause reductions in or loss of habitat. Decreases in summer groundwater elevations and instream flows due to groundwater pumping and riparian diversions could result in the loss of riparian vegetation. The loss of riparian vegetation could affect terrestrial and aquatic species that rely on riparian vegetation for habitat and food and lead to declines in water quality, such as increased water temperature and fine sediment levels. Finally, some diverters might choose to cease diverting altogether, and fallow lands that are currently being irrigated, or switch to dryland farming, or convert existing farmland to non-agricultural uses.

The Substitute Environmental Document will analyze any policy alternatives or mitigation measures that would minimize or avoid the potential environmental impacts described above.

Please send your comments regarding the North Coast Instream Flow Policy Substitute Environmental Document to the address below. When submitting your comments, please identify a contact person in case we have any questions about the comments.

Attention: Karen Niiya or Eric Oppenheimer
State Water Resources Control Board
P.O. Box 2000, 1001 I Street, 14th Floor
Sacramento, CA 95812-2000

Phone: (916) 341-5426
Fax: (916) 341-5400
Email: FlowPolicy@waterboards.ca.gov

**NORTH COAST INSTREAM FLOW POLICY
ENVIRONMENTAL CHECKLIST**

- | | |
|---|---|
| 1. Project title: | North Coast Instream Flow Policy |
| 2. Lead agency name and address: | State Water Resources Control Board
P.O. Box 2000, 1001 I Street, 14th Floor
Sacramento, CA 95812 |
| 3. Contact person and phone number: | Karen Niiya, Eric Oppenheimer
(916) 341-5426 |
| 4. Project location: | Coastal watersheds in Marin, Sonoma, and portions of Napa, Mendocino and Humboldt counties |
| 5. Project sponsor's name and address: | State Water Resources Control Board
P.O. Box 2000, 1001 I Street, 14th Floor
Sacramento, CA 95812 |
| 6. General plan designation: | Not applicable |
| 7. Zoning: | Not applicable |
| 8. Description of project: | The project description begins on page 3. |
| 9. Surrounding land uses and setting: | The general setting for the policy area can be characterized as rural forested landscapes intermixed with grazing and agricultural lands. Urban development is concentrated in the southern portion of the policy area and along Highway 101. |

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

No responsible agencies exist for this project because no other agency has authority to carry out or approve the North Coast Instream Flow Policy. Other agencies may have authority to carry out or approve activities that will be subject to the policy, but the project in this case is the policy itself, not the activities that may be subject to the policy.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below may be potentially affected by the proposed project, involving at least one impact that is marked as "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated," as indicated by the checklist on the following pages.

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

PROJECT DESCRIPTION

North Coast Instream Flow Policy

Environmental Checklist

1.0 Introduction

Effective January 1, 2005, Assembly Bill 2121 (Stats. 2004, ch. 943, § 3) added section 1259.4 to the Water Code, which requires the State Water Resources Control Board (State Water Board) to adopt by January 1, 2008, a policy for maintaining instream flows in California coastal streams from the Mattole River to San Francisco and in coastal streams entering northern San Pablo Bay (North Coast Instream Flow Policy). The policy will be prepared and adopted in accordance with state policy for water quality control for purposes of water rights administration.

The adoption of state policy for water quality control is a certified regulatory program and therefore is exempt from the California Environmental Quality Act (CEQA) requirement to prepare an Environmental Impact Report if a proposed project would result in significant impacts on the environment. (Cal. Code Regs., tit. 14, §§ 15250, 15251, subd. (g).) However, a Substitute Environmental Document (SED) must be prepared for the proposed project. The SED must include a description of the proposed project and address the probable environmental impacts associated with its implementation. This Environmental Checklist has been prepared as part of the environmental review process for the policy. The environmental analysis will be refined and expanded as public input is received during the policy development and CEQA processes.

The State Water Board's Division of Water Rights (Division) will prepare the SED to support the development, consideration, and approval by the State Water Board of the North Coast Instream Flow Policy.

2.0 Background

The State Water Board is responsible for administering surface water rights in the State of California. The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations. In addition, the State Water Board has a duty of continuing supervision over the diversion and use of water to apply the requirements of the public trust doctrine and the California Constitutional prohibition against the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water. The public trust doctrine requires the protection of public trust uses, including fish and wildlife habitat, whenever feasible.

Beginning in 1996, the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS; formerly NOAA Fisheries) and the California Department of Fish and Game (DFG) listed steelhead trout, coho salmon, and chinook salmon as "threatened" under the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA), respectively. The listing status and ranges of the listed anadromous salmonid species within the policy area are provided in **Table 1**. These listings heightened the need for the evaluation of the impacts of water diversions on anadromous salmonids.

Table 1. California State and Federal “Special-Status Species” of anadromous salmonids in the policy area

Common Name	State Listing Status	Federal Listing Status	Population Range
Coho salmon – Central California Coast Evolutionarily Significant Unit (ESU) (<i>Oncorhynchus kisutch</i>)	Endangered (3/30/05)	Endangered (8/29/05)	From the San Lorenzo River in Santa Cruz Co. north to Punta Gorda in Humboldt Co., including tributaries to San Francisco Bay, but excluding the Sacramento-San Joaquin River system
Coho salmon – S. Oregon/N. California ESU (<i>Oncorhynchus kisutch</i>)	Threatened (3/30/05)	Threatened (6/5/97)	From Punta Gorda north to Cape Blanco, Oregon
Steelhead – Northern California Distinct Population Segment (DPS) (<i>Oncorhynchus mykiss irideus</i>)	Species of Special Concern (Mattole R. summer run only)	Threatened (6/7/00; 1/5/06)	From Redwood Creek southward to the Gualala River
Steelhead – Central California Coast DPS (<i>Oncorhynchus mykiss irideus</i>)		Threatened (8/18/97; 1/5/06)	From the Russian River south to Aptos Creek (Santa Cruz Co.), and the drainages of San Francisco, San Pablo, and Suisun Bays, including the tributary streams to Suisun Marsh, but excluding the Sacramento-San Joaquin River system
Chinook salmon – California Coastal ESU (<i>Oncorhynchus tshawytscha</i>)		Threatened (9/16/99; 6/28/05)	South of the Klamath River to the Russian River

3.0 Policy Area

The North Coast Instream Flow Policy will cover all coastal streams from the mouth of the Mattole River south to San Francisco Bay and coastal streams entering northern San Pablo Bay. The policy area includes approximately 5,900 stream miles and encompasses 3.1 million watershed acres (4,900 square miles) in Marin, Sonoma, and portions of Napa, Mendocino, and Humboldt counties (policy area), as indicated on **Figure 1**.

4.0 Project Goals and Objectives

For purposes of CEQA, the proposed project is adoption and implementation of the North Coast Instream Flow Policy. As required by Water Code section 1259.4, the State Water Board must adopt a policy that provides through the State Water Board’s administration of water rights for the maintenance of instream flows in North Coast streams. The policy is likely to address the State Water Board’s administration of water right applications; small domestic use and livestock stockpond registrations; existing permits and licenses; and change petitions, including transfers, time extensions, and wastewater change petitions. In



Figure 1
Project Location/Policy Area

addition, the Division proposes to include an enforcement element as part of the policy that will govern water right enforcement actions in the coastal streams described above.

In developing the policy, Water Code section 1259.4 authorizes the State Water Board to consider the June 17, 2002 (draft) "Guidelines for Maintaining Instream Flows to Protect Fisheries Resources Downstream of Water Diversions in Mid-California Coastal Streams," which were developed by NMFS and DFG (NMFS-DFG Draft Guidelines) (DFG and NMFS, 2002). Accordingly, the Division proposes to evaluate in the SED a policy alternative based on the NMFS-DFG Draft Guidelines.

The NMFS-DFG Draft Guidelines were recommended for use by permitting agencies (including the State Water Board), planning agencies, and water resources development interests when evaluating proposals to divert and use water from northern California coastal streams. The NMFS-DFG Draft Guidelines were developed pursuant to respective agency mandates and missions to protect and restore anadromous salmonids and their habitat (NMFS-DFG Draft Guidelines, June 17, 2002, pg 1.). The Division currently considers the NMFS-DFG Draft Guidelines when reviewing water right applications, but they have not been adopted as formal State Water Board policy. The NMFS-DFG Draft Guidelines recommend that terms and conditions be included in new water right permits for small diversions to protect fishery resources in the absence of site-specific biologic and hydrologic assessments. (Small diversions are defined as direct diversions of three cubic feet per second or less, or diversions to storage of 200 acre-feet per annum or less.) Specifically, the NMFS-DFG Draft Guidelines recommend:

- limiting new water right permits to diversions during the winter period (December 15–March 31) when stream flows are generally high;
- maintaining minimum bypass flows and cumulative maximum rates of diversion to ensure that streams are adequately protected from new winter diversions;
- conserving the natural hydrograph and avoiding significant cumulative impacts by limiting the maximum cumulative volume of water that can be diverted in a watershed;
- constructing storage ponds off-stream rather than on-stream; and
- providing fish screens and fish passage facilities where appropriate.

The Division anticipates that the policy that will be evaluated in the SED will cover the same issues as the NMFS-DFG Draft Guidelines, but some details or criteria may differ. For example, the policy may be expanded to cover small domestic use and livestock stockpond registrations, change petitions, and time extension petitions.

5.0 Potential Alternatives

No policy alternatives other than a policy alternative based on the NMFS-DFG Draft Guidelines have been identified as of the issuance of the Notice Of Preparation of an SED for the policy. The Division will consider all comments and available and relevant information received during the scoping process, including other policy alternatives.

6.0 Environmental Issues to be Analyzed in the SED

The Division has determined that an SED is required for the proposed project. It has also determined that the following environmental issue areas will be evaluated in the SED: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Recreation, and Utilities and Service Systems.

For purposes of CEQA, the proposed project is adoption of the North Coast Instream Flow Policy. The policy itself will not approve any particular water diversion projects. Moreover, in general the policy will operate to protect the environment by ensuring that water rights are administered in a manner designed to maintain instream flows. The policy might require limitations on diversions; however, that could lead some affected parties to take actions that could in turn result in indirect¹ environmental impacts. Examples of such actions that affected parties might take include, but may not be limited to:

- pumping groundwater instead of diverting surface water in order to avoid any limitations applicable to new water right applications that may be contained in the policy;
- directly diverting under their riparian rights instead of seasonally storing water, for which a water right permit is required, which could mean an increase in direct diversions during the spring, summer, and fall (applies to holders of riparian water rights);
- ceasing diverting and allowing previously irrigated land to fallow;
- removing or modifying on-stream storage reservoirs; and
- constructing new off-stream storage reservoirs.

As explained in greater detail below, all of these actions could have environmental impacts, including impacts on biological resources, water quality, and groundwater supplies.

It is impossible to predict which affected parties will take any of the actions described above, or exactly how many affected parties will take any of those actions. Accordingly, the SED will evaluate indirect environmental impacts at a programmatic level². Throughout the following annotated checklist, the Division acknowledges that many of the potential significant environmental impacts identified will be subject to further analysis under CEQA when actions are taken in response to the policy. For clarity and consistency with familiar CEQA parlance, the annotations state that any such future CEQA analyses would be conducted at the “project level.”

¹ An indirect physical change in the environment is a physical change which is not immediately related to adoption of the policy, but which may occur as a result of the policy being adopted.

² A programmatic level analysis is more general in nature and evaluates the effects on the environment at a broad level. This type of analysis is appropriate when analyzing the potential impacts associated with adopting a program or policy.

EVALUATION OF ENVIRONMENTAL IMPACTS:

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction (short-term: 1–5 years) as well as operational (long-term: 30–50 years) impacts. Since the Division has determined that a SED will be required for the adoption of the policy, the discussions presented in this Environmental Checklist are not comprehensive. Instead, a preliminary discussion of potential key issue areas and potential strategies to address these key issues in the SED is provided. Effects found to be absent or insignificant are identified along with a statement that the issue will not be addressed in more detail in the SED. In the following checklist, the definitions provided below are used:

- **“Potentially Significant Impact”** means that there is either substantial evidence that an effect would be significant or, due to a lack of existing information, could have the potential to be significant.
- **“Less than Significant With Mitigation Incorporated”** means that the incorporation of one or more mitigation measures would reduce the impact from potentially significant to less than significant.
- **“Less than Significant Impact”** means that there is sufficient evidence to determine that the impact would be less than significant and that no mitigation is necessary.
- **“No Impact”** means that the impact does not apply to the proposed project, or clearly would not affect nor be affected by the project.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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1 AESTHETICS – Would the project:

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|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input checked="" 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or night-time views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to aesthetic resources. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, removing or modifying on-stream storage reservoirs and constructing new off-stream storage reservoirs. Such activities could affect aesthetic resources. Potential indirect impacts to aesthetic resources will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a-c) The scenery in the policy area is of high visual quality. The natural beauty of the policy area is widely known, and residents of and visitors to the policy area regularly experience scenic views and dramatic landscape features. Highly scenic views include those of the Coast Ranges, the King Range National Conservation Area, and Point Reyes National Seashore, among many other scenic coastal sites. The “wine country” of Napa, Sonoma, and Mendocino counties is also renowned for its high aesthetic values. Highways such as State Routes (SR) 1, 12, 101 and 116 traverse the policy area, also providing motorists with scenic views. Two highways in Sonoma County have been officially designated California State Scenic Highways by the California State Legislature: SR 116, which extends from SR 1 to the southern city limits of Sebastopol; and SR 12, which extends from Danielli Avenue east of Santa Rosa to London Way near Aqua Caliente. No highways in Marin, Napa, Humboldt, or Mendocino counties have been designated State Scenic Highways.

As described above, indirect impacts to aesthetic resources, including scenic vistas, scenic resources near a state scenic highway, and degradation of existing visual quality have the potential to occur if affected parties take action in response to adoption of the policy. For example, removal of on-stream ponds or construction of off-stream ponds could cause short-term temporary visual disturbances, which could include ground disturbance and earthwork activities and the presence of vehicles, personnel, and supplies in undeveloped areas associated with dam removal, construction of off-stream ponds, and retrofitting of diversion facilities. Construction of off-stream ponds also could result in longer term and more permanent aesthetic changes, especially if they are located in a sensitive viewshed or adjacent to the two segments of state scenic highway in Sonoma County previously described. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

- d) Adoption of the policy would not create a new source of substantial light or glare in the policy area.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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2 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:

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|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of State-wide 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 checked="" type="checkbox"/> | <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"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Narrative Responses

Adoption of the policy in itself will not cause direct impacts to agricultural resources. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, ceasing diversions and allowing previously irrigated land to fallow. Such activities could affect agricultural resources. Potential indirect impacts to agricultural resources will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) Portions of the policy area in Marin, Napa, and Sonoma counties are mapped as Prime Farmland, Unique Farmland, or Farmland of State-wide Importance by the Farmland Mapping and Monitoring Program (Department of Conservation 2004). Humboldt and Mendocino counties were not mapped by the Farmland Mapping and Monitoring Program.
Adoption and implementation of the policy might influence some affected parties that are currently diverting water to fallow lands that are currently irrigated. Therefore, adoption of the policy may indirectly result in potentially significant impacts to important Farmland resources. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.
- b) A substantial amount of the policy area is governed by Williamson Act contracts; Marin County has the largest amount of area under contracts. Most of the area under Williamson Act contracts in Napa, Sonoma, Humboldt, and Mendocino counties is concentrated in the central regions of the counties. Adoption of the policy will not result in a conflict with zoning for agricultural use or a Williamson Act contract.
- c) As described above, adoption and implementation of the policy could influence some agricultural interests to cease diverting water for purposes of irrigation and convert Farmland to non-agricultural use. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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3 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:

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|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

Narrative Responses

Adoption of the policy in itself will not cause direct impacts to air quality. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, removing or modifying on-stream storage reservoirs and constructing new off-stream storage reservoirs. Such activities could affect air quality. Potential indirect impacts on air quality will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) The policy area is in the North Coast Air Basin and the San Francisco Bay Air Basin. Air quality within these two basins is regulated by the following air management districts: the North Coast Unified Air Quality Management District, Mendocino Air Quality Management District, Northern Sonoma Air Quality Management District, and San Francisco Air Quality Management District. Adoption of the policy will not conflict with or obstruct implementation of applicable air quality plans. The types of actions that affected parties may take following adoption of the policy (e.g., construction of new off-stream storage reservoirs and improvements to existing diversions) are not expected to generate long-term emissions that would adversely affect implementation of adopted air quality plans.
- b) As described above, adoption and implementation of the policy could influence affected parties to undertake actions that could have potential indirect impacts on air quality. For example, removal of on-stream ponds or construction of off-stream ponds could cause short-term temporary air quality impacts as a result of ground disturbance and earthwork activities. These actions that may occur in response to adoption of the policy could result in an increase in PM10 or other pollutants above the existing background levels, but any emissions would be temporary and short-term, and therefore the potential indirect impacts to air quality would be less than significant.
- c) The policy area is located in designated non-attainment areas for the criteria pollutant PM10 and ozone in Napa, Sonoma, and Marin counties under the state and federal air quality standards (California Air Resources Board 2006). As indicated above for Item (b), adoption of the policy in itself will not result in increased emissions of criteria pollutants. Future actions

that affected parties could take in response to adoption of the policy may include construction and ground-disturbing activities that could temporarily contribute to higher PM10 and ozone levels in the policy area. Such activities are expected to be short-term and would not produce substantial air pollutant concentrations; however, it is expected that with mitigation, these potential indirect impacts of the policy will be less than significant. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.

- d) Sensitive receptors in the policy area consist primarily of permanent and seasonal residents, recreationists, and tourists. The potential subsequent actions taken by affected parties in response to adoption of the policy are not expected to generate substantial air pollutant concentrations; however, construction activities associated with such actions could expose sensitive receptors to brief increases in local concentrations of PM10 and other pollutants. Due to the remote and rural nature of most existing and proposed water diversions in the policy area, it is unlikely that significant human exposure would occur as a result of indirect construction activities. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- e) Adoption of the policy in itself will not generate objectionable odors. Hydrogen sulfide odors have been reported to emanate from dam releases in the past and could emanate from any new off-stream storage reservoirs constructed by affected parties in response to adoption of the policy; however, such activities would be situated in rural areas, not near heavily populated areas, and therefore would not affect a substantial number of people in the policy area. In addition, potential flow changes that may result from adoption of the policy are not anticipated to generate additional odors beyond the historical conditions. Therefore, potential indirect impacts to air quality would be less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
4 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 checked="" type="checkbox"/>	<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, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to biological resources. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, the following: pump groundwater instead of diverting surface water in order to avoid any limitations applicable to new water right applications that may be contained in the policy; directly divert under their riparian rights instead of seasonally storing water, for which a water right permit is required, which could mean an increase in direct diversions during the spring, summer, and fall (applies to holders of riparian water rights); remove or modify on-stream storage reservoirs; and construct new off-stream storage reservoirs. Such activities could affect biological resources. Potential indirect impacts to biological resources will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) Eleven plant species that are listed as threatened or endangered under the federal Endangered Species Act or the California Endangered Species Act or that are candidates for state or federal listing could be affected by water diversions that may occur in the policy area. Ten of these species—the Sonoma alopecurus (*Alopecurus aequalis* var. *sonomensis*), Sonoma sunshine (*Blennosperma bakeri*), white sedge (*Carex albida*), Loch Lomond coyote-thistle (*Eryngium constancei*), Burke's goldfields (*Lasthenia burkei*), Contra Costa goldfields (*Lasthenia conjugens*), Pitkin marsh lily (*Lilium pardalinum* ssp. *pitkinense*), Sebastopol meadowfoam (*Limnanthes vinculans*), Kenwood Marsh checkermallow (*Sidalea oregano* ssp. *valida*), and showy Indian clover (*Trifolium amoenum*)—are federally listed as endangered. One species, the water howellia (*Howellia aquatilis*), is federally listed as threatened. Some of these plants species occur in riparian zones that may be affected by future activities influenced by adoption of the policy. Plant species located in upland areas could also be affected by future actions/projects that may occur in response to adoption of the policy. For example, a diverter may be influenced by the policy to construct an off-stream reservoir to replace an on-stream reservoir that the diverter elects to remove, which could affect both riparian and upland plant species.

There are 14 wildlife species that are listed as threatened or endangered under the federal Endangered Species Act or the California Endangered Species Act or that are candidates for state or federal listing that could be influenced by water diversions that may occur in the policy area. Two of these species are invertebrates that are federally listed as endangered: the Conservancy fairy shrimp (*Brachinecta conservatio*) and California freshwater shrimp (*Syncaris pacifica*). One additional invertebrate species, the vernal pool fairy shrimp (*Brachinecta lynchi*), is federally listed as threatened.

Two of the 14 wildlife species are amphibians and reptiles that are federally listed as threatened: the California red-legged frog (*Rana aurora draytonii*) and giant garter snake (*Thamnophis gigas*). In addition, the Sonoma County population of California tiger salamander (*Ambystoma californiense*) has been federally listed as endangered. Other wildlife species that may occur in the policy area include the bald eagle (*Haliaeetus leucocephalus*), which is federally listed as threatened, and the Point Arena mountain beaver (*Aplodontia rufa nigra*), which is federally listed as endangered. Some of these wildlife species, which are located in riparian zones or utilize these riparian zones for foraging, may be affected by future actions taken by affected parties in response to adoption of the policy.

The policy area supports both warmwater and coldwater fisheries, with the warmwater fish concentrated in larger and slower mainstem river channels. Five federally listed anadromous salmonid species are present in the policy area: the Northern California coast ESU Coho salmon (*Oncorhynchus kisutch*), listed as threatened; the Central California coast ESU Coho salmon (*O. kisutch*), listed as endangered; the California Coastal ESU Chinook salmon (*O. tshawytscha*), listed as threatened; the Central California coast DPS steelhead (*O. mykiss*), listed as threatened; and the Northern California DPS steelhead (*O. mykiss*), listed as threatened. One additional fish species in the policy area, the tidewater goby (*Eucyclogobius newberryi*), is federally listed as endangered. Habitat for most fish, as well as macroinvertebrate species, has the potential to decrease in response to new diversions. As stated earlier, the purpose of the policy is to maintain instream flows, which would benefit listed

anadromous salmonid species, and preserve aquatic ecological processes in general. One possibility is that the policy will be based on the NMFS-DFG Draft Guidelines, which are designed to maintain flow regimes approximating a natural hydrograph, which would benefit coldwater fish, particularly salmonids (*Oncorhynchus* spp.). Adoption of the policy could influence some affected parties currently diverting water, however, to switch to groundwater pumping, or to rely on riparian rights. Lower groundwater levels could cause a reduction in summer flows. Similarly, an increased reliance on riparian rights could influence diverters to increase surface water diversions during the spring, summer, and fall, which would result in a decrease in instream flows. Decreased flows could in turn result in reductions in or loss of suitable instream juvenile, adult, spawning, or incubation habitat for selected special-status fish, macroinvertebrate, amphibian, or reptilian species.

The policy could also influence existing diverters to remove existing on-stream ponds. Removal of the ponds could lead to increased sedimentation downstream, which could affect fish, invertebrates, and other species downstream, and loss of amphibian habitat at the pond sites. Other potential impacts include changes in channel and floodplain maintenance processes, and in riparian zone characteristics, that would each result in altered habitat conditions for aquatic and terrestrial biological resources.

For the reasons described above, adoption of the policy may indirectly result in potentially significant impacts on species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the DFG or U.S. Fish and Wildlife Service (USFWS). The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.

- b) Riparian areas provide essential habitat for riparian and aquatic species and their preservation and/or restoration is important. Native riparian habitat in the policy area consists of a range of vegetation types and densities, but all are dependent on water availability for sustainability. Decreases in flows and summer groundwater elevations due to diversions and groundwater pumping (if initiated as an alternative water source in response to the policy) could result in the loss of riparian vegetation. In areas of high disturbance or where the summer water table elevation is reduced, native riparian species could also be replaced by invasive vegetation such as Himalayan blackberry (*Rubus discolor*). The loss of riparian vegetation could affect terrestrial and aquatic species that rely on riparian vegetation for habitat and food, and lead to declines in water quality, such as increased water temperature and fine sediment levels. Therefore, adoption of the policy may indirectly result in potentially significant impacts on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations or by the DFG or the USFWS. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.
- c) Persistent emergent, riparian, riverine, lacustrine, and coastal wetlands occur throughout the policy area. In addition, freshwater seeps and wet meadow habitats occur locally in areas where permitted diversion and storage facilities may be located. All of these wetland features may be considered jurisdictional features by the U.S. Army Corps of Engineers (Corps) under Section 404 of the Clean Water Act. Loss of wetlands could affect terrestrial and aquatic species that rely on wetlands for habitat and food, and lead to declines in water quality. Affected parties may choose to construct new off-stream storage reservoirs or enhance existing diversions, or dewater existing reservoirs within areas supporting wetlands, in response to adoption of the policy. These activities could result in potentially significant impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.
- d) The policy could influence some existing diverters to increase surface water diversions under riparian rights and/or increase groundwater pumping adjacent to streams, leading to reduced summer low flows and creating temporary flow or thermal barriers to fish movements downstream of the point of diversion or pumping. Similarly, it is possible that losses of riparian vegetation could interfere with the use of riparian corridors by wildlife for movement, breeding, or nursery purposes. Lost wetland or riparian habitat could affect sensitive amphibians and

reptiles. Therefore, adopting the policy could indirectly result in potentially significant impacts to the movement of native resident or migratory fish or wildlife species, or to established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.

- e) Future activities by affected parties that may be influenced by adoption of the policy may have potential to conflict with local policies and ordinances protecting biological resources. For example, construction of new off-stream storage reservoirs and enhancements to existing diversions may occur within areas supporting wetlands and oak woodlands, resources protected by local policies and ordinances. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts resulting from project level conflicts with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, will be less than significant.
- f) As discussed above for Item (e), there is potential for actions by affected parties that occur subsequent to adoption of the policy to conflict with existing plans such as Habitat Conservation Plans (HCPs) and Natural Community Conservation Plans (NCCPs). Potential conflicts with HCPs and NCCPs are expected to be identified programmatically in the SED, and the SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
5 CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as identified in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to cultural resources. Adoption and implementation of the policy could, however, influence affected parties to take actions that could in turn affect cultural resources. Potential indirect impacts to cultural resources will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a-b) Potential actions that may be taken by affected parties in response to adoption and implementation of the policy could include the construction of new off-stream storage reservoirs and the enhancement of some existing diversion facilities. Such activities could affect any historic sites and archeological resources that are situated within the area of potential effect (APE). Existing information regarding cultural resources within the APE cannot be readily incorporated into this Environmental Checklist. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, future projects should be subject to record searches, reviews of anthropological sources to determine if there are any ethnographic sites that have been previously noted, and archeological field surveys. Cultural resource investigations should be conducted at the project level by the appropriate lead agency to determine known or anticipated resources within the APE. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- c) As described above, potential actions taken by affected parties in response to adoption and implementation of the policy, such as the construction, operation, and maintenance of new or enhanced facilities, could result in potential impacts on paleontological or unique geologic resources. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, future site investigations and records searches should be conducted at the project level by the appropriate lead agency to determine known or anticipated paleontological or unique geologic sites within the APE. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- d) As described above, potential actions that may be taken by affected parties in response to adoption and implementation of the policy, such as the construction, operation, and maintenance of new or enhanced facilities, could disturb human remains. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, future site investigations should be conducted at the project level by the appropriate lead agency to determine the documented presence of human remains within the APE, including those interred outside of formal cemeteries. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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6 GEOLOGY AND SOILS – Would the project:

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

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to geology and soils. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not be limited to, constructing new off-stream storage reservoirs. Such activities could affect geology and soils in the policy area. Potential indirect impacts on geology and soils will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- ai) Portions of the policy area could be subject to surface fault rupture in the event of an earthquake. The most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist identifies several known earthquake faults in the policy area: San Andreas Fault, Rodgers Creek Fault, and Maacama Fault. Actions taken by affected parties in response to adoption and implementation of the policy (e.g., construction of new, off-stream storage reservoirs) could expose people or structures to the potential rupture of a known earthquake fault. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, any structures built or altered as a result of adaptation of the policy should be built in accordance with appropriate codes. It is expected that with mitigation, these potential indirect impacts of the policy will be less

than significant.

- aii) As stated above, the most recent Alquist-Priolo Earthquake Fault Zoning Map shows several known earthquake faults within the policy area. Actions taken by affected parties in response to adoption of the policy (e.g., construction of new, off-stream storage reservoirs) could affect risks related to strong seismic ground shaking. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- aiii) As described above, strong seismic ground shaking within the policy area could possibly originate at one of the faults/fault complexes within the policy area. Ground shaking has the potential to trigger mass wasting and/or soil liquefaction where there are in situ bedrock and soils prone to these effects. Actions taken by affected parties in response to adoption of the policy (e.g., construction of new, off-stream storage reservoirs) could affect risks related to mass wasting and/or soil liquefaction. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- aiv) The policy area is spanned by the Coast Range geomorphic province, which is known to contain weak sheared sedimentary rocks or overlying unconsolidated deposits. Rapid uplift of these rocks leads to high rates of erosion and abundant landslides. Actions taken by affected parties in response to adoption of the policy (e.g., construction of new, off-stream storage reservoirs, improvements to existing diversions) could potentially increase the risk of landslides in the policy area and potentially increase the number of people exposed to such risk. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- b) Actions taken by affected parties in response to adoption of the policy (e.g., construction of new, off-stream storage reservoirs, improvements to existing diversions) could involve ground-disturbing activities that would result in substantial soil erosion or the loss of topsoil. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, the SED might require that site-specific erosion control techniques be implemented on a project level basis. These techniques should be designed in accordance with the requirements of the Clean Water Act and the Porter Cologne Water Quality Control Act. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- c) Actions taken by affected parties in response to adoption of the policy could result in the construction of facilities (e.g., roads, diversion facilities, off-stream storage reservoirs) that, depending on the stability of the geology and soils at the specific site, could expose people or structures to adverse effects from on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. New and expanded facilities would not increase the risk of unstable geology or soils occurring in the policy area but could increase the number of people exposed to such risk. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, available soils mapping information and other sources should be reviewed to determine if facilities are or would be located in areas with known or potentially unstable soils. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- d) Actions taken by affected parties in response to adoption of the policy could result in the construction of facilities (e.g., roads, diversion facilities, reservoirs) that could be located on expansive soils, as defined by Table 18-1-B of the Uniform Building Code. New and expanded facilities would not increase the risk of expansive soils occurring in the policy area but they could increase the number of people exposed to such risk. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, available soils mapping information and other

sources should be reviewed to determine if facilities could be located in areas with known or potentially expansive soils. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

- e) The policy does not involve the construction or use of septic tanks or alternate wastewater disposal systems. It is anticipated that future actions that may occur in response to adoption of the policy would not require the use of septic tanks or alternate wastewater disposal systems. There would therefore be no impact.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
7 HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" 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"/>	<input checked="" 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 result in a safety hazard for people residing or working in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to hazards or hazardous materials. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, removing or modifying on-stream storage reservoirs and constructing new off-stream storage reservoirs. Such activities could affect hazards or hazardous materials. Potential indirect impacts on hazards and hazardous materials will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) Actions taken by affected parties in response to adoption of the policy could result in the use of a variety of hazardous materials, such as during the construction and maintenance of new diversion or storage facilities or the enhancement of existing facilities. Construction, operation,

and maintenance of these facilities could require the use of lubricating oils and fuels for vehicles. Operation and maintenance activities could involve materials such as lubricating oils, paint, solvents, lead acid batteries, and fuels for vehicles. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, all hazardous materials should be used in a manner consistent with federal, state, and local requirements. Adherence to these guidelines would reduce the potential for exposure of the public or the environment to hazardous materials. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

- b) Actions taken by affected parties in response to adoption of the policy could result in the storage and use of hazardous materials, such as during construction, operation, and maintenance of new and enhanced facilities. In the event of an upset or accident, these materials could leak and thereby release hazardous materials into the environment. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, hazardous wastes associated with the construction, operation, and maintenance of new and enhanced facilities should be disposed of at approved sites on a case-by-case basis depending on the project location. All hazardous materials should be used in a manner consistent with federal, state, and local requirements. Adherence to these guidelines would reduce the potential for exposure of the public or the environment to hazardous materials to a less than significant level.
- c) Actions taken by affected parties in response to adoption of the policy could result in the construction of facilities involving hazardous emissions and hazardous materials within one-quarter mile of an existing or proposed school. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- d) Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Hazardous Waste and Substances Sites List (Cortese List). Activities associated with the policy would not be located on any of the sites listed in the California Department of Toxic Substances Control website (http://www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm) or sites on the U.S. Environmental Protection Agency's Comprehensive Environmental Response, Compensation and Liability Information System website (<http://www.epa.gov/superfund/sites/cursites/index.htm>). Adoption and implementation of the policy will have no impact on listed hazardous waste sites. Any actions taken by affected parties in response to adoption of the policy are also not anticipated to have an impact on listed hazardous waste sites.
- e) Any actions taken by affected parties in response to adoption of the policy are not anticipated to result in a safety hazard to people working or residing within an airport land use planning area.
- f) Any actions taken by affected parties in response to adoption of the policy are not anticipated to have an impact arising from proximity to private airports.
- g) Any actions taken by affected parties in response to adoption of the policy are not anticipated to affect the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- h) The policy area includes large tracts of federal, state, and private lands with forest and chaparral habitats that may be prone to wildland fires; urbanized areas are located along the Highway 101 transportation corridor. Actions taken by affected parties in response to adoption of the policy, specifically the removal of on-stream reservoirs that provide water for fire suppression, could limit the ability to contain fires that may arise in proximity to these reservoirs. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
8 HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<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 checked="" 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 runoff in a manner which would result in flooding on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater discharge drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing or other structures which would impede or re-direct flood flows within a 100-yr. 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"/>	<input checked="" type="checkbox"/>
h) Place within a 100-yr. flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to hydrology and water quality. The policy might set minimum bypass flows for new applications and otherwise limit future diversions and development of on-stream reservoirs to provide instream flows which are protective of anadromous salmonids. Existing, unauthorized reservoirs might be subject to removal or require construction of diversion facilities to mitigate potential impacts on instream flow conditions. Such activities could affect hydrology and/or water quality. Potential indirect impacts on hydrology and water quality will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) Development of new policy to maintain instream flows in northern California Coastal streams will take into account the need to comply with existing water quality standards and waste discharge requirements currently administered by the Regional Water Quality Control Board (North Coast and San Francisco). Future actions that affected parties may take in response to adoption of the policy may result in a violation of a water quality standard or waste discharge requirement. For example, the removal of an existing on-stream reservoir could result in the discharge of sediment that would exceed an established water quality standard. The SED will identify pertinent water quality standards within the policy area and include a comparative analysis between these plans and the policy to determine if there are any potential conflicts. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- b) Future, near-term actions that affected parties may take in response to adoption of the policy could reduce the availability of new future water supplies from surface water and subterranean streams, potentially transferring future demands to groundwater sources. Increased use of groundwater could result in a net deficit in aquifer volume or a lowering of the groundwater table level. The SED may include recommendations for addressing potential impacts attributable to increased groundwater pumping through the State Water Board's exercise of its authority to protect public trust uses and prevent the waste and unreasonable use of water.
- c) Future, near-term actions that affected parties may take in response to adoption of the policy could result in the alteration of an existing drainage pattern in a manner that potentially results in substantial erosion or siltation. For example, the removal of certain existing on-stream reservoirs or the improvement of existing diversion facilities has the potential to alter current stream flows and potentially result in the erosion of adjacent banks and subsequent downstream siltation. As discussed in Item (a), removal of existing on-stream dams also could result in the release of sediments that have accumulated behind a dam over time. Ground-disturbing activities associated with the construction of new off-stream reservoirs could expose soils to erosion and siltation if such actions occur within an existing drainage pattern. The SED may include recommendations for addressing the potential impacts of specific construction projects that may be carried out in response to the adopted policy. Potential recommendations may include the need to implement Best Management Practices (BMPs) such as erosion and sedimentation control during and immediately following ground-disturbing activities adjacent to surface waters. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- d) Future, near-term actions that affected parties may take in response to adoption of the policy could result in the alteration of an existing drainage pattern in a manner that potentially results in a substantial increase in the rate or amount of runoff in a manner that contributes to flooding on- or off-site. For example, the removal of an existing on-stream reservoir could reduce the available capacity for the retention of storm flows. In such instances, depending upon the local watershed, this could result in increased runoff during storm events and increase the potential for downstream flooding. The

SED may include recommendations for addressing the potential impacts of specific construction projects that may be carried out in response to the adopted policy.

- e) As previously discussed, future, near-term actions that affected parties may take in response to adoption of the policy may require removal of on-stream reservoirs and reduce the available storage capacity for storm flows or increase bypass of storm flows. In such instances, this could increase flows beyond the capacity of existing storm water discharge facilities, and result in additional sediment transport. The SED may include recommendations for addressing the potential impacts of specific construction projects that may be carried out in response to the adopted policy.
- f) As previously discussed, near-term actions that affected parties may take in response to adoption of the policy could result in increased sediment transport. In addition, potential increased future use of groundwater could deplete low flows and indirectly affect water quality through temperature increases. These types of actions have the potential to substantially degrade water quality, depending on the local conditions. The SED may include recommendations for addressing the potential impacts of specific construction projects that may be carried out in response to the adopted policy.
- g) Adoption of the policy and near-term actions that affected parties may take in response to adoption of the policy would not result in the placement of housing or other structures within a 100-year flood hazard area that would impede or re-direct flood flows. No impact to housing or other structures within a 100-year flood hazard area will occur as a result of the policy, either directly or indirectly.
- h) See Item (g), above.
- i) Future, near-term actions that affected parties may take in response to adoption of the policy, such as the removal of on-stream reservoirs that reduces the storage of storm flows or increased bypass of stormwater flows, could result in increased runoff during storm events. This could potentially increase the potential for failure of downstream dams or levees by inundation and/or mudflow, depending on the local conditions. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- j) See Item (i), above for discussion of inundation due to mudflow. Potential actions that affected parties may take in response to adoption of the policy are not likely to contribute to any additional risk associated with inundation due to tsunamis and seiches.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
9 LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to existing land uses, nor will it conflict with applicable land use plans, policies, regulations, habitat conservation plans, or natural community conservation plans. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, removing or modifying on-stream storage reservoirs and constructing new off-stream storage reservoirs. One or more of these activities could affect existing land uses and conflict with local planning and regulations. Potential indirect impacts on land use will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) Subsequent actions that may occur in response to adoption of the policy would likely be limited to more rural areas within or directly adjacent to existing northern California coastal streams and would not be of the magnitude to physically divide a local community.
- b) Future actions that affected parties may take in response to adoption of the policy may conflict with land use plans, policies, or regulations such as the following:
 - Humboldt County General Plan
 - Mendocino County General Plan
 - Napa County General Plan
 - Sonoma County General Plan
 - Marin County General Plan
 - USDI, Bureau of Land Management – Resource Management Plans
 - USDA, Forest Service – Land and Resource Management Plans
 - Santa Rosa Plain Conservation Strategy

For example, the construction of an off-stream storage reservoir, depending upon where it is located, could be in conflict with a local planning policy designed to protect natural resources. The SED will list all applicable plans and provide a summary of key policies that may be applicable to future actions that may occur as a result of adopting the policy. Construction of new facilities and enhancements to existing facilities will be evaluated to ensure compliance with the goals and objectives of applicable land use plans, policies, and regulations. Potential conflicts with applicable land use plans, policies, and regulations will be evaluated in the SED at a programmatic level. The SED may include recommendations to address the potential

impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, potential indirect impacts resulting from project level conflicts with local planning policies and regulations will be less than significant.

- c) There is potential for actions by affected parties that occur in response to adoption of the policy to conflict with existing plans such as HCPs and NCCPs. Potential conflicts with HCPs and NCCPs are expected to be identified programmatically in the SED, and the SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
10 MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>

Narrative Responses:

Adoption and implementation of the policy in itself will not cause impacts to mineral resources. Any actions taken by affected parties in response to adoption of the policy are also not anticipated to result in impacts to mineral resources; therefore the issue will not be addressed in more detail in the SED.

- a) There are both lode and placer active mining claims located in the policy area. Lode claims include rock-in-place bearing veins or lodes of valuable minerals. Placer claims are mineral deposits not subject to lode claims and generally consist of unconsolidated material, such as sand and gravel, containing free gold or other materials (Bureau of Land Management 2006). Most of these claims are placer claims located in Sonoma County. The policy will not 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. Any actions taken by affected parties in response to the adopted policy are not anticipated to result in the loss of availability of known mineral resources.
- b) The policy will not result in the loss of locally-important mineral resources recovery sites that are delineated on a local general plan, specific plan, of other land use plan. Any actions taken by affected parties in response to the adopted policy are not anticipated to result in the loss of availability of locally important mineral resource recovery areas.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
11 NOISE – Would the project result in:				
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to noise. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, removing or modifying on-stream storage reservoirs and constructing new off-stream storage reservoirs. Such activities could affect noise levels in the policy area. Potential indirect impacts on noise will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) The potential noise impacts associated with a specific activity would depend on the type of activity, the types of and number of pieces of equipment in use, the noise level generated by the various pieces of equipment, the duration of activity, and the distance between the activity and any noise-sensitive receptors. Potential construction activities associated with future actions that may occur in response to adoption of the policy include the construction of new off-stream storage reservoirs and the enhancement of existing diversion facilities. Noise impacts from these potential construction activities would be temporary and would cease at the termination of construction, but have the potential to affect sensitive receptors located within the vicinity of the proposed project (e.g., nearby residences and recreation facilities).

It is anticipated that operation and maintenance activities for newly constructed off-stream facilities could lead to short-term or intermittent noises (e.g., traffic use on roads accessing the project sites). In most instances, operation and maintenance activities are temporary and sporadic, although some are regularly scheduled. Others, such as emergency maintenance, occur on an “as-needed” basis. However, it is not anticipated that these activities would generate noise levels in excess of standards established in applicable City and County General Plans.

The SED may include recommendations for addressing the potential impacts of specific construction projects that may be carried in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

- b-d) As indicated above, future actions occurring in response to adoption of the policy may include the construction of new facilities and enhancements to existing facilities. Construction activities could involve the use of heavy equipment that would generate a minimal amount of localized groundborne vibration and groundborne noise that would increase ambient noise levels within the vicinity of sensitive receptors (i.e., recreational facilities and nearby residences). The effect would depend on how much noise the equipment generated, the distance between construction activities and the nearest sensitive receptors (i.e., recreational facilities, residences, and businesses), and the existing noise levels experienced by those sensitive receptors. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy. For example, it is anticipated that project construction activities would comply with the applicable City and County General Plans. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- e,f) Adoption and implementation of the policy is anticipated to have no impact with regards to exposing people to noise arising from proximity to public airports or private airstrips. Any actions taken by affected parties in response to adoption of the policy are also not anticipated to expose people to noise arising from proximity to public airports or private airstrips.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
12 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"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Narrative Responses:

Adoption and implementation of the policy in itself will not cause impacts to population and housing. Any actions taken by affected parties in response to adoption of the policy are also not anticipated to result in impacts to population and housing; therefore the issue will not be addressed in more detail in the SED.

- a) Adoption and implementation of the policy will not induce substantial growth in the policy area. Actions taken by affected parties in response to adoption of the policy are also not anticipated to result in the construction of facilities that would directly or indirectly induce population growth, or to result in an increase in water supply that would result in growth-inducing impacts.
- b) Adoption and implementation of the policy will not displace substantial numbers of existing housing. Actions taken by affected parties in response to adoption of the policy would likely be located primarily in rural areas within or directly adjacent to existing northern California coastal streams, where existing housing is not likely to be located, and would therefore have no impact on housing.
- c) Adoption and implementation of the policy will not displace substantial numbers of people. Actions taken by affected parties in response to adoption of the policy would not displace any people, and would therefore have no impact on housing.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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13 PUBLIC SERVICES – Would the project:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Narrative Responses:

Adoption and implementation of the policy in itself will not cause impacts to public services. Any actions taken by affected parties in response to adoption of the policy are also not anticipated to result in impacts to public services; therefore the issue will not be addressed in more detail in the SED.

- a-e) Adoption and implementation of the policy, as well as any actions taken by affected parties in response to adoption of the policy, would not result in a change in the level of fire or police protection services provided in the policy area, and would not result in the construction of any facilities that would directly or indirectly induce population growth and necessitate the need for additional school facilities, parks, or other public facilities in the policy area, and would therefore have no impact on public services.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
14 RECREATION – Would the project:				
a) 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"/>	<input checked="" type="checkbox"/>
b) 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"/>	<input checked="" type="checkbox"/>
c) Result in loss of recreational opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to recreation. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, the removal or modification of on-stream storage reservoirs or the construction of new off-stream storage reservoirs. Such activities could affect recreation in the policy area. Potential indirect impacts on recreation will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) Adoption of the policy and any actions taken by affected parties in response to adoption of the policy are not expected to increase the use of existing neighborhood and regional parks or other recreational facilities. It is anticipated that no impact resulting from increased use of local parks and recreation facilities would occur.
- b) Adoption of the policy and any actions taken by affected parties in response to adoption of the policy are not expected to entail the construction or expansion of recreational facilities; therefore, no impact would occur.
- c) Actions taken by affected parties in response to adoption of the policy could potentially result in the loss of recreational opportunities if existing on-stream reservoirs that are currently used for activities such as swimming fishing and boating are removed as part of such future actions. Therefore, adoption of the policy may indirectly result in potentially significant indirect impacts to recreational opportunities in the policy area. The SED may include recommendations to address the potential impacts of specific construction projects that may be carried out in response to the adopted policy.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
15 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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"/>	<input checked="" type="checkbox"/>
c) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>	<input checked="" type="checkbox"/>

Narrative Responses:

Adoption and implementation of the policy will not cause direct impacts to transportation or traffic. Any actions taken by affected parties in response to adoption of the policy are also not anticipated to result in significant impacts to transportation or traffic; therefore the issue will not be addressed in more detail in the SED.

- a) The construction of new facilities and enhancements to existing facilities that could occur in response to adoption of the policy does have the potential to generate a short-term increase in traffic within and adjacent to the policy area. In most cases, existing road networks are assumed adequate to accommodate the unsubstantial increase in traffic associated with these activities. This would be considered a less than significant impact.
- b) The construction of new facilities and enhancements to existing facilities that could occur in response to adoption of the policy would not substantially increase hazards due to design features. Any future actions that may occur following adoption of the policy should comply with applicable County and federal road requirements and are expected to have no impact.

- c) Future actions that may occur in response to adoption of the policy would not substantially change existing emergency access within the policy area. Potential construction activities associated with these future actions are likely to be located primarily in rural settings and not in urbanized areas where the activities could interfere with emergency access vehicles that serve local populations; therefore there will be no impact.
- d) It is anticipated that future actions that may occur in response to adoption of the policy also would not substantially change parking capacity within the policy area. Construction activities associated with these future actions are likely to be located primarily in rural settings and not in urbanized areas with public parking areas that serve local populations; therefore, there will be no impact.
- e) As discussed above in Item (a), construction of new facilities and enhancements to existing facilities that could occur in response to adoption of the policy have the potential to generate an increase in traffic within the policy area. It is unlikely that such future actions would have a significant effect on roadway capacity or level-of-service standards, including for those roadways and highways designated as part of the congestion management network, since any potential increases in traffic levels would be negligible. This impact would be less than significant.
- f) It is anticipated that future actions that may occur in response to adoption of the policy are not expected to have any components that would conflict with adopted policies, plans, or programs supporting alternative transportation; therefore, there will be no impact.
- g) It is anticipated that future actions that may occur in response to adoption of the policy would not 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; therefore, there will be no impact.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
16 UTILITIES AND SERVICE SYSTEMS – 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"/>	<input checked="" 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 checked="" 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 checked="" 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"/>	<input checked="" 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 project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Narrative Responses:

Adoption of the policy in itself will not cause direct impacts to utilities and service systems. Adoption and implementation of the policy could, however, influence affected parties to take actions such as, but not limited to, removing or modifying on-stream storage reservoirs and constructing new off-stream storage reservoirs; and those activities could affect utilities and service systems. Potential indirect impacts on utilities and service systems will be evaluated at a programmatic level in the SED. Additionally, any proposed projects carried out in response to adoption of the policy would be subject to a separate project level CEQA analysis by the appropriate lead agency.

- a) Adoption of the policy would not result in an exceedence of the wastewater treatment requirements of the San Francisco Bay and North Coast Regional Water Quality Control Boards and state and local public health and safety codes and regulations. Any actions taken by affected parties in response to the policy are not anticipated to result in exceedences of wastewater treatment requirements.
- b) Adoption of the policy may influence some affected parties to seek alternative sources of water from water purveyors in the policy area, creating an increase in demand. In some cases, increases in demand may be sufficient to influence water purveyors to construct new water treatment facilities or expand existing facilities (including water distribution systems), the construction of which could cause significant environmental effects. The SED may include

recommendations for addressing the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

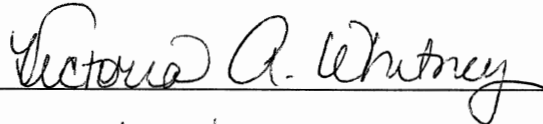
- c) Adoption of the policy may influence some affected parties that are currently diverting water to remove existing on-stream reservoirs, thereby reducing the available storage capacity for storm flows (see Section 8, Hydrology and Water Quality, Item (d)). This effect could be cumulative if multiple on-stream reservoirs are removed within the same watershed. The response to this potential reduction in available storage capacity could be the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The SED may include recommendations for addressing the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.
- d) Adoption of the policy would not require new or expanded water supply entitlements.
- e) Adoption of the policy, as well as any actions taken by affected parties in response to the policy, are not anticipated to result in the generation of wastewater. Consequently, there will be no impact on the demand of existing wastewater treatment providers.
- f) Future actions taken by affected parties in response to adoption of the policy are not anticipated to generate substantial amounts of solid waste and should be adequately served by existing landfills located within the policy area. Therefore, this impact would be less than significant.
- g) Any solid waste generated by construction, operation and maintenance activities occurring as part of future actions taken by affected parties in response to adoption of the policy should be disposed of at an approved landfill, in compliance with local, state, and federal regulations pertaining to solid waste disposal. For example, removal of on-stream reservoirs and construction of new offstream reservoirs could result in the generation of solid waste (e.g., vegetation, dam debris). The SED may include recommendations for addressing the potential impacts of specific construction projects that may be carried out in response to the adopted policy. It is expected that with mitigation, these potential indirect impacts of the policy will be less than significant.

III DETERMINATION

On the basis of this initial evaluation, I find that the proposed project may have a significant effect on the environment, and a Substitute Environmental Document will be prepared that is similar in scope and function to a Program Environmental Impact Report. The State Water Board's adoption of the North Coast Instream Flow Policy is a certified regulatory program and therefore exempt from the CEQA requirement to prepare an Environmental Impact Report. (Cal. Code Regs., tit. 14, §§ 15250, 15251, subd. (g).) However, a Substitute Environmental Document must be prepared for the project. The Substitute Environmental Document will evaluate the potential environmental impacts of the policy and describe any alternatives or mitigation measures necessary to avoid or reduce any potentially significant environmental impacts.

Name / Title: Victoria A. Whitney, Chief

Agency: Division of Water Rights, State Water Resources Control Board

Signature: 

Date: 7/19/2006

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