



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (909) 782-4130 - FAX (909) 781-6288

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June 17, 2002

U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch
U.S. Fish and Wildlife Service - Carlsbad
State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
State Water Resources Control Board, Division of Water Quality – Jim Maughan
State Department of Health Services, Santa Ana – Frank Hamamura
State Department of Health Services, Carpenteria – John Curphey
State Department of Health Services, Carpenteria - Jeff Stone
State Department of Health Services, San Diego – Steve Williams
State Department of Health Services, San Bernardino – Kalyanpur Baliga
State Department of Water Resources - Glendale
State Department of Fish and Game – Long Beach
Orange County Water District - Nira Yamachika
Orange County Health Care Agency
Riverside County Flood Control and Water Conservation District
Riverside County Department of Environmental Health Services
San Bernardino County Department of Environmental Health Services
San Bernardino County Flood Control District
Orange County Coastkeeper – Garry Brown
Lawyers for Clean Water – c/o San Francisco Bay Keeper
Additional list (see attached mailing list)

WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SPECIFIC TYPES OF DISCHARGES, RESOLUTION NO. R8-2002-0044

Ladies and Gentlemen:

Enclosed is a copy of tentative Resolution No. R8-2002-0044 for your review and comment. This Resolution waives waste discharge requirements for specific types of discharges, provided that the criteria and conditions identified in Attachment "A" of the Resolution are met. The Resolution is scheduled for consideration by the Regional Board at its September 6, 2002 meeting.

This is also to advise you that the waiver of waste discharge requirements is considered a project for the purposes of the California Environmental Quality Act (CEQA). Therefore, Board staff has prepared an Initial Study evaluating the environmental effects of the project and finds that it should not have significant adverse environmental effects. A draft Negative Declaration has been prepared. On September 6, 2002, the Board will also consider adoption of the Negative Declaration regarding this project. Copies of the Initial Study and draft Negative Declaration may be obtained by calling J. Shami of my staff at (909) 782-3288.

California Environmental Protection Agency



Please provide any comments you may have by August 19, 2002 so that they may be included in the final resolution that will be presented to the Board.

Should you have any questions regarding this project, please call Jun Martirez at (909) 782-3258 or J. Shami at (909) 782-3288.

Sincerely,



Joanne E. Schneider
Environmental Program Manager

Enclosure: Tentative Resolution No. R8-2002-0044
Notice of Filing

JIS/waiver.ltr

California Regional Water Quality Control Board
Santa Ana Region

September 6, 2002

ITEM:

SUBJECT: Waiver of waste discharge requirements for specific types of discharges, Resolution No. R8-2002-0044

DISCUSSION:

The Regional Board prescribes Waste Discharge Requirements for waste discharges in accordance with Section 13263 of the California Water Code. Many types of discharges, however, do not contain a significant amount of pollutants, and have no significant effect on the quality and beneficial uses of the waters of the State. It is in the best interest of the public and the Board not to expend the resources necessary to regulate discharges that have an insignificant potential to affect water quality standards.

Section 13269 of the California Water Code empowers the Regional Board to waive waste discharge requirements for specific types of discharges where such a waiver is not against the public interest. Such waivers are conditional and may be terminated by the Board at any time.

Recent legislation (Senate Bill 390) amended Section 13269. As amended, Section 13269 stipulates that all existing waivers will expire on January 1, 2003 unless they are renewed by the Regional Board at a public hearing. It also specifies that all waivers must be reviewed at 5-year intervals and either renewed or terminated.

On March 8, 1996, the Regional Board adopted Resolution No. 96-9, which waived waste discharge requirements for specific types of discharges, provided that certain conditions stipulated in the Resolution are met. The specific type of discharges that are waived include the following:

- a. Minor Dredging Projects,
- b. Inert Waste Disposal Operations,
- c. Bridge Seismic Retrofitting,
- d. Projects Which Impact Wetlands and/or Riparian Habitats,
- e. Sand, Gravel, and Quarry Operations,
- f. Residential Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas,
- g. Industrial and Commercial Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas,
- h. Minor Stream Channel Alterations,
- i. Monitoring Well Purge Water,

Staff Report
Order No. R8-2002-0044

- j. Well Drill Cuttings,
- k. Incidental Discharge of Oily Wastewater During Oil Spill Response Activities, and
- l. Other Insignificant Discharges of Wastewater to Land (eg: potable water pipeline draining, groundwater dewatering, etc.).

The proposed Resolution No. R8-2002-0044 updates the list of specific types of discharges for which waste discharge requirements would be waived, again provided that certain criteria and conditions are met. The following types of discharges that were previously waived in Resolution No. 96-9 are not included in the proposed Resolution No. R8-2002-0044:

- a. Minor Dredging Projects,
- b. Bridge Seismic Retrofitting,
- c. Projects Which Impact Wetlands and/or Riparian Habitats, and
- d. Minor Stream Channel Alterations.

Board staff believes that, for the most part, general waste discharge requirements can and should be formulated to address each of these types of discharges. One advantage of this approach is that the requirements can be more explicitly tailored to each type of discharge to assure that water quality and beneficial uses will be protected. Another advantage is that the requirements would need to be reviewed only once every ten years, as opposed to the 5-year review of waivers now mandated by the Water Code. This has obvious advantages in terms of Regional Board resources. Where circumstances dictate the need for it, individual waste discharge requirements could be issued for specific projects.

The types of waste discharges listed in Attachment "A" to Resolution No. R8-2002-0044 were identified on the basis that they should not result in significant adverse environmental effects, provided that the criteria and conditions also listed in Attachment "A" are satisfied. The proposed Resolution No. R8-2002-0044, if approved, would expire on September 1, 2007.

The waiver of waste discharge requirements is a project for the purposes of the California Environmental Quality Act (CEQA). In accordance with CEQA, Board staff has prepared an Initial Study and finds that no significant environmental impacts would result from the adoption and implementation of Resolution No. R8-2002-0044. A Draft Negative Declaration has therefore been prepared. Adoption of Resolution No. R8-2002-0044 includes the adoption of the Negative Declaration.

The waiver of waste discharge requirements for the specific types of discharges identified in Attachment "A" will not affect the Regional Board's authority to regulate discharges where water quality or beneficial uses could be impacted. This waiver may be terminated at any time.

Staff Report
Order No. R8-2002-0044

RECOMMENDATION:

Adopt Resolution No. R8-2002-0044 as presented.

Comments were solicited from the following agencies:

U.S. Army District, Los Angeles, Corps of Engineers, Regulatory Branch
U.S. Fish and Wildlife Service - Carlsbad
State Water Resources Control Board, Office of the Chief Counsel – Jorge Leon
State Water Resources Control Board, Division of Water Quality – Jim Maughan
State Department of Health Services, Santa Ana – Frank Hamamura
State Department of Health Services, Carpinteria – John Curphey
State Department of Health Services, Carpinteria - Jeff Stone
State Department of Health Services, San Diego – Steve Williams
State Department of Health Services, San Bernardino – Kalyanpur Baliga
State Department of Water Resources - Glendale
State Department of Fish and Game – Long Beach
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Orange County Coastkeeper – Garry Brown
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Additional list (see attached mailing list)

California Regional Water Quality Control Board
Santa Ana Region

RESOLUTION NO. R8-2002-0044

Waiver of Waste Discharge Requirements
for Specific Types of Discharges

WHEREAS, the California Regional Water Quality Control Board, Santa Ana Region (hereinafter Board), finds that:

1. Section 13263(a) of the California Water Code requires Regional Boards to prescribe requirements for existing and proposed waste discharges in their respective areas of jurisdiction.
2. Section 13269 of the California Water Code authorizes Regional Boards to waive waste discharge requirements for a specific discharge or specific types of discharges where such a waiver is not against the public interest.
3. The waiver of waste discharge requirements for discharges that do not pose a significant threat to water quality, where such waiver is not against the public interest, would enable staff resources to be used effectively and avoid unnecessary expenditures of these limited resources.
4. On October 10, 1999, Senate Bill (SB) 390 amended Water Code Sections 13269 and 13350. SB 390 includes the following:
 - a. Extends all waivers in effect on January 1, 2000 for three years to January 1, 2003 (unless terminated earlier);
 - b. Requires renewal in five-year increments thereafter for all waivers;
 - c. All existing waivers expire on January 1, 2003 unless renewed;
 - d. Requires Regional Boards to conduct a public hearing prior to renewing any waiver for a specific type of discharge in order to determine whether the discharge should be subject to general or individual waste discharge requirements;
 - e. Imposes a duty on the Regional Boards and State Boards to enforce the waiver conditions;
 - f. Specifically expands the authority of the Regional Boards to take enforcement action for violations of waiver conditions and 401 certifications.
5. On March 8, 1996, the Regional Board adopted Resolution No. 96-9 for waiver of waste discharge requirements for specific types of discharges.

6. Resolution No. 96-9 must be reviewed and revised to comply with the requirements of SB 390.
7. Attachment "A" to this resolution lists specific types of discharges that would have an insignificant effect on the quality of waters of the State, provided the corresponding criteria and conditions are met.
8. Waiving waste discharge requirements for the specific types of discharges listed in Attachment "A" is not against the public interest.
9. The Board has reviewed the Initial Study concerning this resolution prepared by the Board staff in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) and the State Guidelines and concurs with the staff findings that a Negative Declaration should be adopted.
10. On September 6, 2002, the Board held a public hearing and considered all the evidence concerning this matter. Notice of this hearing was given to all interested persons in accordance with the California Code of Regulations, Section 15072.

THEREFORE, BE IT RESOLVED that the California Regional Water Quality Control Board, Santa Ana Region:

1. Adopts the Initial Study and Negative Declaration regarding the waiver of waste discharge requirements for specific types of discharges, as listed in Attachment "A" to this Resolution, and directs the Executive Officer to file a Notice of Determination with the State Clearinghouse as required by the California Code of Regulations.
2. Waives waste discharge requirements for the specific types of discharges listed in Attachment "A", except those for which individual waste discharge requirements or general waste discharge requirements have already been adopted. Waste discharge requirements are waived for each specific type of discharge listed provided that the corresponding criteria and conditions are met.
3. This waiver of waste discharge requirements expires on September 1, 2007. Any action under this waiver is conditional and may be terminated for any type of discharge or any specific discharge at any time within the term of this waiver.
4. Waste discharge requirements for a specific discharge shall be considered waived only after a Report of Waste Discharge is submitted and the Executive Officer agrees that the conditions specified in Attachment "A" for the specific type of discharge will be met.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on September 6, 2002.

Gerard J. Thibeault
Executive Officer

Attachment "A" to Resolution No. R8-2002-0044

Specific Types of Discharges for Which
 Waste Discharge Requirements are Waived
 (Provided Criteria and Conditions are Met)

TYPES OF DISCHARGE	CRITERIA AND CONDITIONS
<p style="text-align: center;">Inert Waste Disposal Operations</p>	<p>Only inert waste, as defined in Section 20230, Division 2, Title 27, of the California Code of Regulations, will be disposed of. Ten percent (10%) by volume of wood waste or tree trunks from demolition projects is allowable. No green waste or gypsum board (or similar construction wastes) are allowed, and</p> <ol style="list-style-type: none"> 1. Controls sufficient to contain all surface runoff are installed, where necessary, and 2. The site will be adequately secured to prevent unauthorized disposal by the public.
<p style="text-align: center;">Sand, Gravel, and Quarry Operations</p>	<ol style="list-style-type: none"> 1. All operations and wash waters are contained within the facility, 2. No waste discharge (including storm water runoff from operations areas) to surface waters will occur, and 3. Stockpiles and settling basins will be protected from inundation from 100-year peak storm flows.
<p style="text-align: center;">Residential Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas</p>	<ol style="list-style-type: none"> 1. Developments in Orange County comply with the Regional Board's "Guidelines for Sewage Disposal from Land Developments". Developments in Riverside and San Bernardino Counties comply with the individual county guidelines to discharge wastes to septic systems.
<p style="text-align: center;">Industrial and Commercial Wastewater Disposal Systems (septic tanks) Not Within Prohibition Areas</p>	<ol style="list-style-type: none"> 1. Only sanitary wastes to be discharged into the septic systems, and 2. Developments in Orange County comply with the Regional Board's "Guidelines for Sewage Disposal from Land Developments". Developments in Riverside and San Bernardino Counties comply with the individual county guidelines to discharge wastes to septic systems.
<p style="text-align: center;">Monitoring Well Purge Water</p>	<ol style="list-style-type: none"> 1. Purge water is discharged to the ground in a manner so that it will percolate back into the aquifer in the same general area from which it came, and 2. Adequate measures will be taken to prevent purge water from reaching surface waters.

TYPES OF DISCHARGE	CRITERIA AND CONDITIONS
Well Drill Cuttings	<ol style="list-style-type: none"> 1. Cuttings determined not to be considered as hazardous waste, and 2. Cuttings disposed of or used in a manner so as to not affect water quality or beneficial uses.
Incidental Discharge of Oily Wastewater During Oil Spill Response Activities	<ol style="list-style-type: none"> 1. Discharges occur during an oil spill response activity, and 2. Discharges are within or proximate to the oil spill response area.
Other Insignificant Discharges of Wastewater to Land (eg: potable water pipeline draining, groundwater dewatering, etc.)	<ol style="list-style-type: none"> 1. All wastewater discharged in a manner so that it will percolate into the ground before reaching surface waters, and 2. All wastewater disposed of or used in a manner so as to not affect water quality or beneficial uses.

The following conditions apply to all of the above types of discharges:

1. Implementation of the project shall not create a nuisance or pollution as defined in the California Water Code.
2. The project shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board, as required by the Clean Water Act.
3. The discharge of any substance in concentrations toxic to animal or plant life is prohibited.

NOTICE OF FILING

To: Any Interested Person

From: California Regional Water Quality
Control Board, Santa Ana Region,
3737 Main Street, Suite 500,
Riverside, CA 92501-3348

SUBJECT: Negative Declaration prepared in accordance with Section
21080(c) of the Public Resources Code and Sections 15070 and
15071 of the California Code of Regulations.

PROJECT PROPONENT: California Regional Water Quality Control Board, Santa Ana
Region

PROJECT TITLE: Resolution No. R8-2002-0044, Waiver of Waste Discharge
Requirements.

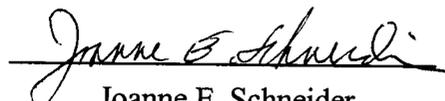
PROJECT DESCRIPTION: Conditional waiver of waste discharge requirements for specific
types of discharges that have no significant adverse effects on the
waters of the State.

CONTACT PERSON: J. Shami - Telephone No. (909) 782-3288

This is to advise you that an Initial Study and Draft Negative Declaration have been filed with the State Clearinghouse and the Clerks of San Bernardino, Riverside and Orange Counties. Action on these documents will be taken in accordance with Title 14, Sections 15072 through 15075 of the California Code of Regulations.

Copies of the Initial Study and Draft Negative Declaration can be obtained from the Contact Person named above.

Comments on the Initial Study and Draft Negative Declaration should be submitted by August 19, 2002.


Joanne E. Schneider
Environmental Program Manager

Dated: June 17, 2002

DRAFT
NEGATIVE DECLARATION

Pursuant to the California Environmental Quality Act of 1970 (CEQA), the staff of the California Regional Water Quality Control Board, Santa Ana Region, prepared an Initial Study of the possible impacts of the following described project:

PROJECT PROPONENT: California Regional Water Quality Control Board, Santa Ana Region

PROJECT TITLE: Resolution No. R8-2002-0044, Waiver of Waste Discharge Requirements.

PROJECT DESCRIPTION: Conditional waiver of waste discharge requirements for specific types of discharges that have no significant adverse effects on the waters of the State. Waste discharge requirements are waived for the discharges listed in Attachment "A" to Resolution No. R8-2002-0044 provided that specified criteria and conditions are met. The waiver may be terminated for any type of discharge or any specific discharge at any time. This waiver of waste discharge requirements expires on September 1, 2007. The Regional Board may consider renewal of the waiver at a future public hearing, provided that CEQA and other relevant requirements are satisfied.

CONTACT PERSON: J. Shami - Telephone No. (909) 782-3288

FINDING:

This project, as described and proposed herein, will not have a significant effect on the environment, therefore, an Environmental Impact Report (EIR) is not required by CEQA.

In support of this finding, a copy of the Initial Study is attached.

Gerard J. Thibeault
Executive Officer

Dated: June 17, 2002

Attachment: Initial Study

ENVIRONMENTAL CHECK LIST

(To Be Completed By Lead Agency)

I. Background:

1. Lead Agency: California Regional Water Quality Control Board, Santa Ana Region
2. Project Title: Resolution No. R8-2002-0044
3. Project Description: A resolution for waiver of waste discharge requirements for specific types of discharges which have no adverse effects on the waters of the Region and/or which are effectively regulated by other local public agencies.
4. Contact Person: Jun Martinez - Telephone No. (909) 782-3258
5. Date of Checklist Submitted: June 17, 2002
6. Agency Requiring Checklist: Regional Water Quality Control Board, Santa Ana Region

II. Environmental Impacts

(Explanation of all "yes" and "maybe" answers are required on attached sheets.)

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or changes in geologic substructures?	_____	_____	<u>X</u>
b. Disruptions, displacements, compaction or overcoming of the soil?	_____	_____	<u>X</u>
c. Change in topography or ground surface relief features?	_____	_____	<u>X</u>
d. The destruction, covering or modification of any unique geologic or physical features?	_____	_____	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
e. Any increase in wind or water erosion of soils, either on or off the site?	_____	_____	<u>X</u>
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of river or stream or of the ocean or any bay, inlet or lake?	_____	_____	<u>X</u>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	_____	_____	<u>X</u>
2. Air. Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?	_____	_____	<u>X</u>
b. The creation of objectionable odors?	_____	_____	<u>X</u>
c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	_____	_____	<u>X</u>
3. Water. Will the proposal result in:			
a. Changes in current, or the course of direction of water movements, in either marine or fresh waters?	_____	_____	<u>X</u>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	_____	_____	<u>X</u>
c. Alterations to the course or flow of flood waters?	_____	_____	<u>X</u>
d. Change in the amount of surface water in any water body?	_____	_____	<u>X</u>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	_____	_____	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
f. Alteration of the direction or rate of flow of groundwater?	_____	_____	<u>X</u>
g. Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	_____	_____	<u>X</u>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	_____	_____	<u>X</u>
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	<u>X</u>
4. Plant Life. Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	_____	_____	<u>X</u>
b. Reduction of the numbers of any unique, rare or endangered species of plants?	_____	_____	<u>X</u>
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	_____	_____	<u>X</u>
d. Reduction in acreage of any agricultural crop?	_____	_____	<u>X</u>
5. Animal Life. Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals, including reptiles, fish and shellfish, benthic organisms or insects)?	_____	_____	<u>X</u>
b. Reduction of the numbers of any unique, rare or endangered species of animals?	_____	_____	<u>X</u>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	_____	_____	<u>X</u>
d. Deterioration to existing fish or wildlife habitat?	_____	_____	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
6. Noise. Will the proposal result in:			
a. Increases in existing noise levels?	_____	_____	<u> X </u>
b. Exposure of people to severe noise levels?	_____	_____	<u> X </u>
7. Light and Glare. Will the proposal result in:			
a. Produce new light or glare?	_____	_____	<u> X </u>
8. Land Use. Will the proposal result in:			
a. A substantial alteration of the present or planned land use of the area?	_____	_____	<u> X </u>
9. Natural Resources. Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	_____	_____	<u> X </u>
10. Risk of Upset. Will the proposal involve:			
a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	_____	_____	<u> X </u>
b. Possible interference with an emergency response plan or an emergency evaluation plan?	_____	_____	<u> X </u>
11. Population. Will the proposal alter:			
a. The location, distribution, density, or growth rate of the human population of an area?	_____	_____	<u> X </u>
12. Housing. Will the proposal affect:			
a. Housing or create a demand for additional housing?	_____	_____	<u> X </u>
13. Transportation/Circulation. Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	_____	_____	<u> X </u>
b. Effects on existing parking facilities, or demand of new parking?	_____	_____	<u> X </u>
c. Substantial impact upon existing transportation systems?	_____	_____	<u> X </u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
d. Alterations to prevent patterns of circulation or movement of people and/or goods?	_____	_____	<u>X</u>
e. Alterations to waterborne, rail or traffic?	_____	_____	<u>X</u>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	_____	_____	<u>X</u>
14. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	_____	_____	<u>X</u>
b. Police protection?	_____	_____	<u>X</u>
c. Schools?	_____	_____	<u>X</u>
d. Parks or other recreational facilities?	_____	_____	<u>X</u>
e. Maintenance of public facilities, including roads?	_____	_____	<u>X</u>
f. Other governmental services?	_____	_____	<u>X</u>
15. Energy. Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	_____	_____	<u>X</u>
b. Substantial increase in demand upon existing sources or energy, or require the development of new sources of energy?	_____	_____	<u>X</u>
16. Utilities. Will the proposal result in:			
a. A need for new systems, or substantial alterations to the following utilities?	_____	_____	<u>X</u>
17. Human Health. Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	_____	_____	<u>X</u>
b. Exposure of people to potential health hazards?	_____	_____	<u>X</u>
18. Aesthetics. Will the proposal result in:			
a. The obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	_____	_____	<u>X</u>

		<u>Yes</u>	<u>Maybe</u>	<u>No</u>
19.	Recreation. Will the proposal result in:			
	a. An impact upon the quality or quantity of existing recreational opportunities?	_____	_____	<u>X</u>
20.	Cultural Resources. Will the proposal result in:			
	a. The alteration of or the destruction of a prehistoric or historic archaeological site?	_____	_____	<u>X</u>
	b. Adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	_____	_____	<u>X</u>
	c. The potential to cause a physical change which would effect unique ethnic cultural values?	_____	_____	<u>X</u>
	d. Restricting existing religious or sacred uses within the potential impact area?	_____	_____	<u>X</u>
21.	Mandatory Findings of Significance.			
	a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habit of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	_____	_____	<u>X</u>
	b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	_____	_____	<u>X</u>
	c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect on total of those impacts on the environment is significant.)	_____	_____	<u>X</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	_____	_____	<u>X</u>

III. Discussion of Environmental Evaluation
 (Narrative description of environmental impacts.) See attached

IV. Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

<u>X</u>	_____	_____
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I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in the mitigation measures described on a attached sheet that has been added to the project. A NEGATIVE DECLARATION will be prepared.

_____	_____	_____
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I find the proposed project MAY have a significant effect on the environment, and a ENVIRONMENTAL IMPACT REPORT is required.

_____	_____	_____
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June 17, 2002

Filomeno (Jun) T. Martirez Jr., P.E.
 Senior Water Resources Control Engineer