

## **APPENDIX C**

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### **ENVIRONMENTAL REVIEW PROCESS GUIDELINES FOR STATE REVOLVING FUND LOAN APPLICANTS**

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF CLEAN WATER PROGRAMS

ENVIRONMENTAL REVIEW PROCESS GUIDELINES  
FOR  
STATE REVOLVING FUND LOAN APPLICANTS  
JUNE 2000

PART I. PURPOSE

These guidelines detail the steps that must be taken by applicants to comply with the environmental review requirements for the State Revolving Fund (SRF) Loan Program administered by the State Water Resources Control Board (SWRCB), Division of Clean Water Programs (Division). Generally, the process set forth here is accomplished through compliance with the California Environmental Quality Act (CEQA). In addition, the SRF Loan Program is partially funded by the U.S. Environmental Protection Agency (EPA) and is therefore subject to federal environmental regulations. To comply with applicable federal statutes and authorities, the EPA established specific "CEQA-Plus" requirements in the Operating Agreement with the SWRCB for administering the SRF Loan Program. These requirements are clearly emphasized in these guidelines and apply to projects receiving SRF assistance.

Detailed requirements under CEQA are given in the CEQA Guidelines (California Code of Regulations Title 14, Division 6, Chapter 3). For information on how to obtain a copy of CEQA and the CEQA Guidelines contact the State Clearinghouse at (916) 445-0613. Copies are also available through the Internet at: <http://ceres.ca.gov/ceqa>. The guidelines presented here are intended to supplement the CEQA Guidelines with specific requirements for environmental documents which will be acceptable to the SWRCB when reviewing applications for wastewater treatment facility loans; they are not intended to supersede or replace the CEQA Guidelines.

For SWRCB funded projects, the applicant is usually the "Lead Agency" as defined under CEQA and will be responsible for the preparation, circulation and consideration of the environmental document prior to approving the project. The SWRCB and other agencies having jurisdiction over the proposed project are "responsible agencies" under CEQA and are accountable for reviewing and considering the information in the environmental document prior to approving any portion of the project.

The applicant may use a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report (EIR) to comply with CEQA documentation requirements. The applicant may use a previously prepared document accompanied by a checklist used to determine if the project is adequately covered by the document. If the project is not adequately covered by an existing document, a Subsequent EIR, a Supplemental EIR, Addendum, or Negative Declaration should be prepared. Applicants should contact the Division at the number below before they decide to use an existing final document. For SRF loans, the Division must ensure that federal agencies are afforded adequate review of environmental documents for projects that will be federally funded.

Under some circumstances the applicant's project may be approved under a statutory or categorical exemption from CEQA. For these projects, applicants should submit the exemption findings to the Division. After applicants approve the project, they should file a Notice of Exemption with the County Clerk and provide a copy of the notice to the Division. Categorical Exemptions cannot be used if the project is in an environmentally sensitive area or if the project involves an increase in treatment capacity. Compliance with applicable federal environmental regulations is required for exempt projects and that involves consultation with federal authorities.

Questions regarding environmental procedures and practices should be directed to the Division's Environmental Services Unit (ESU), at (916) 227-4480 or 227-4572. Questions regarding cultural resources should be directed to the Division's Cultural Resources Officer (CRO) at (916) 227-4410.

## PART II. DETAILED PROCEDURES

In the following procedures, all references to section numbers or appendices refer to the CEQA Guidelines except for Section 106 of the National Historic Preservation Act and Section 7 of the Federal Endangered Species Act. Figure A, on page 10, presents a generalized step-by-step approach describing the CEQA process for proposed SWRCB-funded projects which are not exempt from CEQA requirements. The numbers in Figure A correspond to the numbered paragraphs below.

1. Preparation of an Initial Study as described in Section 15063. An "Initial Study" is a preliminary analysis prepared by the Lead Agency to determine whether an EIR or a Negative Declaration must be prepared. If an applicant can determine that an EIR will clearly be required for the project, an Initial Study is not required but may still be desirable to focus the analysis of impacts. The Initial Study must include a project description, an environmental setting and a discussion of potential impacts as outlined in Part 3 of these guidelines. If a checklist is used, it must be supplemented with explanations for all applicable items, including the items that are checked for "no impact". Checklists should follow the format used in Appendix G of the most recent revision (1999 or later) of the CEQA Guidelines.
2. <Decision Point> Can a fair argument be made that the project may have a significant environmental effect that cannot be mitigated before public release of the environmental document? If yes, applicants should proceed to Item 9 for starting the EIR process; if no, they should proceed to Item 3 for the Negative Declaration process. The criteria for "significance" of impacts are listed in Sections 15064 et seq.
3. If the project has no significant effect on the environment, the applicant should prepare a Proposed Negative Declaration (or Mitigated Negative Declaration) and Initial Study (ND/IS) (Section 15371).
4. The applicant must provide a notice of intent to adopt a Negative Declaration as

described in Section 15072. Since the SWRCB will be a Responsible Agency, the ND/IS also needs to be circulated through the State Clearinghouse (Sections 15072 and 15073). See Item 12 for more detail.

5. The applicant needs to submit eight copies of the ND/IS to the Division to initiate the federal consultation process. Applicants should also submit any cultural resources documentation prepared for their CEQA document. See Item 13 for more detail.
6. Public participation: For all projects, an earnest public participation program can greatly improve the planning process and reduce the chance of delays due to public controversy. For assistance in this area, the applicant should call the ESU. See Item 14 for more detail.
7. <Decision Point> Do any comments reveal substantial evidence that the project may have a significant environmental effect? If yes, applicants should proceed to Item 9, and prepare an EIR; if no, they should proceed to item 8.
8. Based on the commitment to adequate mitigation of significant effects disclosed in the Initial Study or the lack of significant effects, and the absence of significant comments received, the applicant's decision-making body should make a finding that the project will have no significant effect on the environment and adopt the Negative Declaration. The applicant should proceed to Item 17.
9. Section 15082, (a & b) require that a Notice of Preparation (NOP) be distributed whenever an EIR is proposed. A NOP is a brief notice the applicant sends to notify the responsible agencies, trustee agencies, and involved federal agencies that an EIR will be prepared for the project. The purpose of the NOP is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR. Applicants are free to develop their own format for this NOP or they may use the format presented in Appendix I of the Guidelines. The contents of the NOP are described in Section 15082. If the applicant is uncertain whether an EIR or a Negative Declaration is appropriate, an NOP should be distributed in order to cover both eventualities. The applicant should send a copy of the NOP directly to the ESU at the address listed at the bottom of Table 1, page 11, and to the State Clearinghouse at the address listed in item 12.
10. The applicant should incorporate any comments received in response to the NOP into the Draft EIR (Item 11).
11. At this point, the applicant needs to prepare the Draft EIR. The EIR is a detailed report, prepared under CEQA that describes and analyzes the significant environmental effects of a project and discusses ways to mitigate or avoid the effects. See Section 15120 et seq.

12. The applicant needs to distribute a Draft EIR or ND/IS to the public and local, state and federal agencies for review (Sections 15085-15087). The applicant must provide public notice of the availability of a draft EIR. The following review procedures are designed to coordinate the project with various federal, state, and local area-wide plans and programs. See Table 1 for documentation that the applicant should send the ESU upon initiation of the CEQA review period.

Draft EIRs and ND/ISs must be submitted to the State Clearinghouse for review by state agencies (Section 15205). The applicant needs to send fifteen (15) copies of the EIR or ND/IS to the State Clearinghouse, unless the State Clearinghouse approves a lower number in advance [Section 15205(e)]. The applicant may either use the standard "Notice of Completion and Environmental Document Transmittal Form" included in the CEQA Guidelines (Appendix C), or develop a similar form to be used when submitting the documents. On the backside of the form, applicants should put a check on any of the "REVIEWING AGENCIES" that they would like draft documents to be sent to including "SWRCB – Clean Water Programs", otherwise the State Clearinghouse will select the appropriate review agencies. The applicant must also send a formal transmittal letter to the State Clearinghouse giving them the authority to distribute the copies of the document. If a consultant is preparing the Draft EIR or ND/IS, the consultant must obtain a formal transmittal letter from the applicant stating that they give permission to the consultant to send the copies of the document to the State Clearinghouse. The letter should also include the State Clearinghouse number from the NOP. If the applicant needs a shorter review period than the 30 or 45-day period required by the CEQA Guidelines, the applicant, not the consultant, must submit a written request. This formal request can be included in the transmittal letter stating the reasons for a shorter review period. Use the following address to send documents to the State Clearinghouse:

STATE CLEARINGHOUSE  
OFFICE OF PERMIT ASSISTANCE  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH  
P.O. Box 3044  
SACRAMENTO, CA 95812-3044

The focal point of the State's review is the State Clearinghouse. The review starts when the State Clearinghouse receives your Draft EIR or ND/IS, at which time it will assign a Clearinghouse number (SCH#) to the project. If an NOP was previously filed, the State Clearinghouse will use the SCH# assigned to the NOP. This ten-digit number (e.g. SCH# 2000061506) is very important and should be used on all documents, such as inquiry letters, supplemental drafts, final EIRs, etc. The State Clearinghouse will send the applicant an "Acknowledgment of Receipt" card when the document is received. If applicants have any questions about the State Clearinghouse procedures, they should call (916) 445-0613.

While applicants are encouraged to contact the regional and district offices of state

responsible agencies, they do not need to contact the State Office of Historic Preservation or the State Historic Preservation Officer (SHPO). The Division's CRO will consult with the SHPO on the applicant's behalf at appropriate times in the Section 106 process as required by regulations (Item 13b).

To ensure that responsible agencies, including the Division, will receive copies of the environmental document for review, the applicant should send them directly to the agencies. This submittal does not replace the requirement to submit environmental documents to the State Clearinghouse for distribution [Section 15205(f)].

The applicant is also responsible for sending copies of the environmental documents to any local or federal responsible agency with jurisdiction over any part of the proposed project. The applicant must still send eight copies to the ESU for federal consultation (Item 13a).

After the review period ends, the State Clearinghouse should send the applicant a letter stating that the review process is closed and that they have complied with the review requirements. Any comments from state agencies will be forwarded with the letter.

- 13.a. If the project involves an SRF loan, we will need to send copies of the CEQA document (draft or final) directly to federally designated agencies as part of the "CEQA-Plus" process. In order for the ESU to do this, the applicant will need to submit eight (8) copies of their draft or final CEQA document to the ESU at the address shown in Table 1. Normally, one copy will be used for the ESU's review, one copy will be submitted to the CRO, and the other 6 copies will be distributed to federally designated agencies. The federally designated agencies must have at least forty-five (45) calendar days to review an EIR and thirty (30) calendar days to review an ND/IS. Six (6) days mailing time is also added to the review period which would then total fifty-one (51) or thirty-six (36) calendar days from the date the environmental document was mailed to the reviewing agency. If any of these agencies identify an issue of concern, the ESU will consult with the agency to determine the necessary and appropriate actions to resolve the issue. Ideally, the federal consultation review should be done concurrently with the CEQA review to allow all comments to be addressed at one time and prevent the need for supplemental documentation. However, federal consultation may also be initiated before or after CEQA review, but must be completed before an SRF loan commitment can be approved by the Board.

To ensure compliance with the federal Endangered Species Act, the Division has been designated as the non-federal representative under the Federal Endangered Species Act for all wastewater and water reclamation projects in California that involve an SRF loan. To comply with Section 7 of the federal Endangered Species Act, the ESU will review SRF projects during the facilities planning process to determine if a project may affect any federally listed species. It is important that the applicant identifies any issues concerning sensitive species and notifies the ESU early in the planning stage. The ESU

will confer informally with the U.S. Fish and Wildlife Service (FWS) and/or National Marine Fisheries Service (NMFS) as appropriate. The applicant will need to provide the ESU with any species lists, biological assessments and other documents that disclose information on the project's effect on sensitive species at the earliest date.

If there are federally listed species that may be affected by a project, either directly or indirectly, the ESU will evaluate the extent of any impacts as part of its environmental review process and submit its findings to the FWS/NMFS. If the ESU, in consultation with the FWS/NMFS, determines that the project will affect any federally listed species, it will notify the EPA of the need to request formal consultation. The EPA will participate as lead agency in the formal consultation process. The FWS/NMFS may have up to 140 days to prepare a biological opinion in response to a formal request from the EPA.

- 13.b. Applicants for SRF funds are required to demonstrate to the satisfaction of the SHPO that the project complies with Section 106 of the National Historic Preservation Act. In order to avoid potential funding delays, the applicant is encouraged to contact the Division's CRO at the earliest stages of project planning to initiate the Section 106 process. Development of an Area of Potential Effects (APE) map is a critical first step that requires SHPO/CRO consultation. The project's APE includes all construction areas, borrow pits, haul roads, staging areas, etc., as well as the "built environment" in close proximity to the construction area, which may be subject to indirect effects. Property that may be acquired for the proposed undertaking needs to be included in the APE. The APE is typically depicted on topographic maps and large-scale project plans, although aerial photographs are sometimes an effective "base map" alternative.

The Division's CRO will consult with the SHPO to determine which of the following items are needed to ensure compliance with Section 106:

- i. Background research for cultural resources begins with a records search at the Information Center(s) of the California Historical Resources File System which serve(s) the project area. The Information Center(s) will need a 7.5' USGS topographical map section with the APE clearly delineated, as well as a request letter that describes the proposed undertaking. It is important to obtain information about resources in the general project vicinity as well as within the APE. A records search "buffer zone" of 1/2 mile beyond the APE limits is usually sufficient for this purpose. As the Information Centers release complete, confidential site and survey information only to researchers registered with the Center, the applicant is encouraged to designate a qualified archaeologist (typically a consultant) to be the recipient of the records search results. The applicant's designated researcher should include copies of all materials received from the Information Center, as well as all correspondence, in the documentation submitted for review to the Division's CRO.

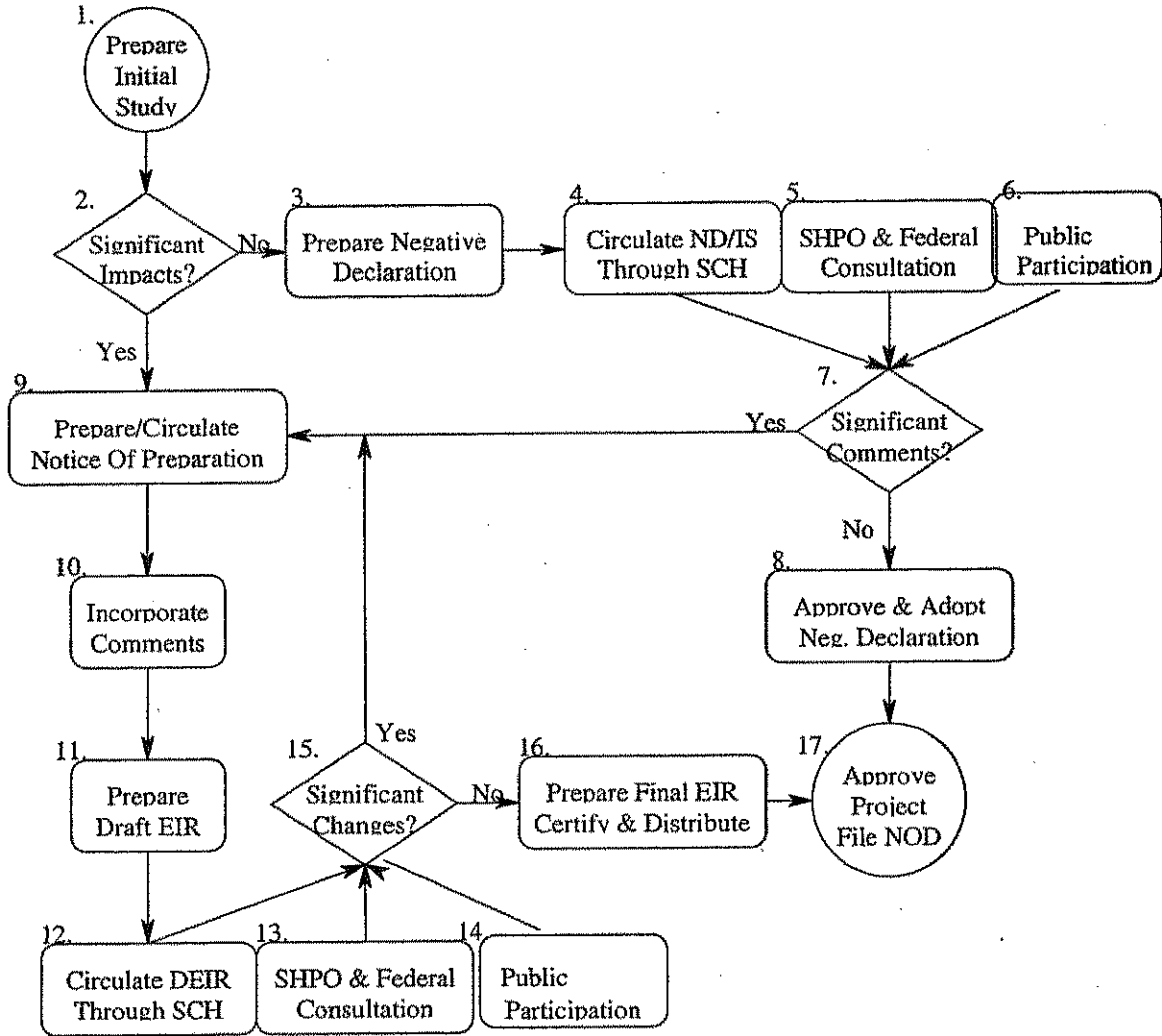
- ii. The dates of construction of all elements of the built environment in and adjacent to the APE should be determined during pre-field research. Buildings, structures (such as a bridge), objects (such as a decorative gateway to a community), and features (canals, railroad tracks, etc.) which are at least 50 years old are potentially eligible for the National Register of Historic Places (NRHP) and may need to be evaluated against the NRHP criteria for inclusion. Numerous wastewater conveyance systems and treatment plants in the state have buildings or other elements older than 50 years, and thus it may be necessary to evaluate the historic value of the plant or system itself. Local historians and historical societies should be contacted for input on the area history.
- iii. Documentation of Native American consultation is required under Section 106. This includes a letter from the applicant or their consultant to the Native American Heritage Commission (NAHC) requesting a review of its Sacred Lands Inventory files. The address of the NAHC is: 915 Capitol Mall, Room 364, Sacramento, CA, 95814. The applicant should also endeavor to make direct contact (e.g. letter followed by telephone call) with Native American representatives with interest in the project community. Native American consultation should include discussion of any potential project impacts to archaeological sites or traditional cultural places known to the Native American representative or the project archaeologist. The NAHC can recommend contacts in the Native American community if the proponent is not acquainted with interested parties.
- iv. The applicant may need to submit documentation of a cultural resources field survey conducted by a qualified archaeologist throughout the APE. The survey report should conform to the outline provided in the California Office of Historic Preservation's Preservation Planning Bulletin 4(a), December 1989. A copy of the APE map depicting "area surveyed" and the boundaries of all known cultural resources relative to the project's impact area, should be included in the survey report.
- v. A Determination of Eligibility may be necessary for any cultural resource that cannot be avoided during project construction. Findings of Effect and mitigation proposals are necessary if a resource is determined to be NRHP-eligible and cannot be preserved through avoidance measures. The applicant's SRF loan contract may include special provisions for protection of cultural resources in and adjacent to the APE. The complexity of cultural resources studies for public works projects can vary widely, depending upon numerous factors. The applicant's proposed undertaking may satisfy Section 106 without including all the described elements. The nature of resources in the APE or the level of public interest may, on the other hand, add requirements not discussed here. Again, the applicant is encouraged to contact the Division's CRO at (916) 227-4410 early in the environmental planning stage for assistance in meeting Section 106



compliance requirements. The CRO will take into account the potential effects of the project upon cultural resources, will apply the regulations implementing Section 106, and on this basis request the concurrence of the SHPO that the process has been completed satisfactorily. Please allow adequate review time for the CRO and the SHPO. After the ESU receives all necessary cultural resources documentation, the total review period for the CRO and the SHPO typically takes 45 days; however, if issues are not resolved during the initial review period, the review may be reinitiated.

14. Public participation and review are essential to the CEQA process (Section 15087). Each public agency should include wide public involvement, formal and informal, consistent with its existing activities and procedures, to receive and evaluate public reactions to environmental issues related to its project. Public comments or controversies that are not addressed during the planning of a proposed project could result in the need for a subsequent environmental document at a later stage or lead to legal challenges, thus delaying the project and raising the cost significantly.
15. <Decision Point> When the comment period closes, the applicant should review all comments received during the review process, including any oral comments received at formal or informal public meetings. The applicant should then consider whether comments are significant enough to require a complete revision of the EIR or the proposed project, or whether minor changes in the EIR or addition of mitigation measures could adequately address the issues raised. If the EIR needs complete rewriting, the applicant should return to Item 9. If minor revisions can make the EIR adequate, the applicant should proceed to Item 16 and include text revisions to the Final EIR
16. The applicant needs to incorporate any comments and their responses to those comments, text revisions, and any additional mitigation measures into the Final EIR. They also need to include a plan for implementing and monitoring mitigation measures. They should include dates for all public meetings, hearings, etc. and the dates of notices for such hearings or meetings. The applicant's decision making body must certify the Final EIR. After resolving all comments and printing their Final EIR, the applicant needs to send copies to all responsible agencies including the ESU. The applicant should also send copies to agencies and individuals commenting on the Draft EIR. See Section 15132 for the contents of a Final EIR.
17. Within five days after the applicant's decision making body has made a decision to proceed with the project, the applicant must prepare and file a "Notice of Determination" (see Appendix D of the CEQA Guidelines) with the Governor's Office of Planning and Research and the local County Clerk. The contents of this Notice are given in Sections 15075 and 15094 for Negative Declarations and EIRs, respectively. See Table 1 for documentation that the applicant needs to submit after the CEQA and "CEQA-Plus" review period has concluded.

Figure A



Prepared by the Environmental Services Unit of the Division of Clean Water Programs, State Water Resources Control Board

**TABLE 1**  
**CHECKLIST FOR ENVIRONMENTAL DOCUMENTATION**  
**FOR APPLICANTS TO SUBMIT TO THE ENVIRONMENTAL SERVICES UNIT**

DURING REVIEW PERIOD	
1.	Eight Copies of the CEQA document for review and federal consultation
2.	Any biological reports or documents incorporated by reference
3.	A copy of the Notice of Completion form that was circulated by the State Clearinghouse (Displaying the SCH# and circulation dates)
4.	The Notice of Intent for a Negative Declaration or the Notice of Availability for an EIR
5.	Three copies of any cultural resources technical studies completed for your CEQA document
AFTER REVIEW PERIOD	
1.	Two copies of the Final EIR or adopted Negative Declaration
2.	Any comments received on the CEQA document and the applicant's responses
3.	The Adopted Mitigation Monitoring Plan (when mitigation measures are included)
4.	The Notice of Determination filed with Governor's Office of Planning & Research
5.	The Resolution certifying the EIR or adopting a Negative Declaration, Adopting the Mitigation Monitoring Plan, and Making CEQA findings including any Statements of Overriding Considerations

If the project is determined to be exempt from CEQA, the applicant may submit a Notice of Exemption and any supporting analysis or environmental information in lieu of the documents listed above. All correspondence with the ESU regarding environmental documents (Draft EIRs, comments received, Final EIRs, ND/ISs, etc) should be addressed to:

STATE WATER RESOURCES CONTROL BOARD  
 DIVISION OF CLEAN WATER PROGRAMS  
 ENVIRONMENTAL SERVICES UNIT  
 P.O. BOX 944212  
 SACRAMENTO, CA 94244-2120

### PART III. BASIC OUTLINE FOR ENVIRONMENTAL DOCUMENTS

The purpose of the environmental review is to incorporate environmental considerations into the planning process. Prior to the selection of a specific project alternative, a thorough, unbiased and frank analysis of the environmental impacts of every reasonable project alternative should be made. It is intended that environmental concerns be considered on an equal basis with engineering feasibility, economics, and social considerations.

In order to assist the applicant in preparing environmental documents for the applicant's project, the ESU has prepared this outline. The outline details project-specific information that must be disclosed, when applicable, in all environmental documents, including Initial Studies, prepared in conjunction with an application for an SRF Loan administered by the SWRCB. This outline does not replace CEQA guideline requirements regarding elements of an environmental document and does not cover all necessary components of the document.

For SRF loans, federal regulations require additional detailed information to obtain clearance for projects involving: (1) species protected under the federal Endangered Species Act, (2) wetlands, (3) wild and scenic rivers, (4) coastal zone areas, (5) floodplains, (6) important agricultural land, (7) cultural resources and (8) non-attainment areas for air quality. If the project involves an increase in treatment capacity, by either building a new treatment plant or expanding existing facilities, the service area and related growth inducing impacts must be considered in the environmental impact analysis. In addition, capacity increases for SRF projects located in non-attainment areas must be based on population estimates and projections consistent with those used for the State Air Quality Implementation Plan if the project exceeds de-minimus thresholds for emissions. For water recycling projects, the area of reuse must also be considered in the environmental impact analysis.

#### I. PROJECT DESCRIPTION

- A. Describe Project Objectives that Qualify the Project for SRF Funding
  - 1. Correction of any water quality problems associated with wastewater treatment or disposal facilities
    - a) Public health hazards
    - b) Pollution of impaired water bodies
  - 2. Compliance with water quality regulations
    - a) Waste Discharge Requirements
    - b) NPDES permits
    - c) Cease and Desist orders
  - 3. Preventative measures for impaired and unimpaired water bodies
  - 4. Capacity increase
  - 5. Wastewater recycling
- B. Explain How Objectives will be Accomplished
  - 1. New facilities
  - 2. Upgrading existing facilities

3. Correction of inflow and infiltration problems
- C. Describe Any Existing Facilities
1. Facilities (give physical dimensions and area of existing site)
    - a) Treatment facilities
    - b) Collection and/or Conveyance systems
    - c) Storage
    - d) Appurtenant structures
    - e) Effluent discharge facilities
    - f) Sludge disposal facilities
  2. Condition of facilities
  3. Level of treatment
  4. Present effluent quality
  5. Present capacity of facilities
    - a) Average Dry Weather Flow (ADWF) capacity
    - b) Peak Wet Weather Flow (PWWF) capacity
  6. Present inflow of wastewater (ADWF and PWWF)
- D. New Facilities (describe any facilities that will be constructed, removed or modified and facility operations)
1. Facilities (give physical dimensions and area of project site)
    - a) Treatment facilities
    - b) Collection and/or Conveyance systems
    - c) Storage
    - d) Appurtenant structures
    - e) Effluent discharge facilities
    - f) Sludge disposal facilities
  2. Proposed treatment level
  3. Proposed effluent quality (describe qualitatively and quantitatively)
  4. Capacities (give in terms of ADWF and PWWF)
    - a) Design capacity (show how capacity was calculated)
    - b) Any increase needed to serve existing development
    - c) Population basis for capacity determination (include year)
      - (1) Current population
      - (2) Projected population
- E. Project Approvals (discuss the roles of planning and regulatory agencies which have permit or funding authority over the proposed project)
- F. Project Location (description of the precise location and boundaries, preferably topographic, and detail map)
1. Existing facilities
  2. New facilities
  3. Storage sites
  4. Staging Areas
  5. Effluent discharge sites
  6. Disposal sites
  7. Affected service area

8. Reuse sites (for water recycling)

II. ENVIRONMENTAL SETTING (Include a discussion of all the following detailed elements as applicable; if an element is not present within the described area, give reasons or verify with investigative results. Consider all facilities; conveyance lines; storage, discharge, and disposal site(s); staging areas; affected service area; and water recycling reuse sites when applicable)

A. RELATIONSHIP OF PROJECT TO OTHER PLANNING (for an EIR, briefly describe the project's relationship to and consistency with other applicable planning)

1. Water quality control plans

- a) Basin Plan (include beneficial uses of the receiving waters as given in the applicable Basin Plan)
- b) Watershed Management Plan
- c) Area-Wide Wastewater Treatment Plan

2. General Plans

3. Regional Transportation Plan

4. Regional Housing Allocation Plans

5. Air Quality Management Plan (SRF applicants need to show that their project meets the federal Clean Air Act general conformity requirements. EIRs need to include a general conformity section that follows the following steps):

- a) If the applicant's project is located in a nonattainment area or an attainment area subject to a maintenance plan (maintenance area) the environmental document should include a description of the air quality status for each criteria pollutant for which an area has been designated nonattainment or maintenance. Provide an estimate of the annual emissions that are expected from both the construction and operation of the project for each criteria pollutant. Projects in an attainment area not under a maintenance plan or in an unclassified area are not subject to a conformity analysis.
- b) Compare these emissions to the de minimis (applicability) levels specified for each nonattainment or maintenance area pollutant. See 40 C.F.R. Section 93.153(b) (Applicability).
- c) If the projects emissions are below the appropriate de minimis level, compare the emissions to the emissions inventory for the nonattainment or maintenance area to ensure the project's emissions are less than 10% of the inventory. See 40 C.F.R. Section 93.153(i) (Regional Significance). Emissions inventories can be obtained from the local air pollution control agency.
- d) If emissions are below the de minimis levels and are less than 10% of the area's inventory the project is not subject to any further

- general conformity analysis.
- e) If emissions are above the de minimis levels or are greater than 10% of the area's inventory, the ESU will need to make a conformity determination for your project by following the requirements contained in 40 C.F.R. Section 93.158 and by consulting with the EPA.
6. Habitat Conservation Plans
  7. Regional land use plans
    - a) Coastal zone
    - b) Lake Tahoe Basin
    - c) San Francisco Bay
    - d) Santa Monica Mountains
- B. Topography of the Region
1. Location of project area with regard to major topographical features
  2. Elevations and slopes on project site (for grading and excavation activities)
- C. Land Use and Zoning
1. At project site
  2. Adjacent to project site
  3. Along pipeline alignments
  4. At reclaimed water reuse sites
- D. Geology of the Region
1. Seismic hazards
  2. Unstable substrate
  3. Erosion potentials
  4. Information directly relating to a water quality problem (e.g., fractured bedrock)
- E. Climate
1. Annual precipitation
  2. Seasonal weather patterns
- F. Air Quality for construction related impacts (also see No. 5 above)
1. Air basin
  2. State and Federal attainment status for the following pollutants:
    - a) Ozone
    - b) Nitrogen dioxide
    - c) Sulfur dioxide
    - d) Particulates
    - e) Carbon monoxide
  3. Status of local air quality plan
- G. Major Botanical Features (plant communities or associations)  
Important Fish and Wildlife (major species and economically or recreationally important species)
- H. Threatened or Endangered Species (Listed, Proposed or Candidate)

1. U.S. Fish and Wildlife
  2. National Marine Fisheries Service
  3. California Department of Fish and Game
  4. Private Organization Listings (e.g., California Native Plant Society)
- I. Critical Habitats listed by the U.S. Fish and Wildlife Service
1. Plant Community Type
  2. Location
  3. Size
- J. Wetlands delineated by Army Corps of Engineers
1. Type
  2. Location
  3. Size
- K. Designated Wild and Scenic Rivers (Include Map if Present)
1. Name
  2. Location
  3. Classification
- L. Water Resources
1. Surface water features
    - a) Lakes
    - b) Rivers
    - c) Estuaries
    - d) Ocean
    - e) Lagoons, marshes and other water features
  2. Groundwater resources
    - a) Depth
    - b) Water quality
    - c) Basin description
  3. Receiving water quality
    - a) Qualitative description
    - b) Quantitative analysis
    - c) Comparison to effluent quality
    - d) Beneficial uses
  4. Water supplies for the service area
    - a) List of water purveyors
    - b) Percentage of supply from each source
- M. Agricultural Land
1. Acres by type (e.g. prime, statewide significance, local significance)
  2. Zoning
  3. Present use
- N. Cultural resources
1. Archaeological resources
  2. Historic architecture, landscapes, features, structures or objects
  3. Traditional cultural properties
  4. Paleontological resources



- O. Coastal Zone Jurisdiction
- P. Floodplain Delineated by the Federal Emergency Management Agency or Other Agency

III. PRIMARY AND SECONDARY IMPACTS (For the following subjects, list and explain short and long term impacts from project construction and operation, and any proposed mitigation measures. Consider all facilities; conveyance lines; storage; discharge and disposal sites; staging areas; affected service area; and water recycling reuse sites as applicable. Include secondary impacts of other activities associated with or resulting from construction or operation of the project. Evaluate the significance of the impacts as required by CEQA).

- A. Water Quantity
  - 1. Change in point of discharge
  - 2. Increase/decrease in stream discharge
  - 3. Increase in water demands
- B. Water Quality
  - 1. Surface water
    - a) Contamination from construction materials
    - b) Siltation from construction related erosion
    - c) Effluent discharge
    - d) Storm runoff from site
    - e) Reclaimed water runoff
  - 2. Groundwater
    - a) Percolation of effluent
    - b) Construction dewatering
- C. Air Quality
  - 1. Project construction emission estimates for non-attainment or maintenance pollutants
  - 2. Air basin emissions inventory for federal non-attainment or maintenance areas
  - 3. Construction dust
  - 4. Odors
- D. Geology
  - 1. Slope stability
  - 2. Seismic hazards
- E. Soils
  - 1. Erosion
  - 2. Contamination
  - 3. Compaction
  - 4. Stability
- F. Vegetation

1. Grading and excavation impacts
  2. Trampling
  3. Effluent impacts on aquatic and riparian vegetation
  4. Conflict with local policies and ordinances
- G. Fish and Wildlife
1. Construction noise and interference
  2. Habitat loss
  3. Interference with movement/migration
  4. Waterfowl attraction to open ponds
  5. Effluent impact on aquatic biota
  6. Conflict with local policies
- H. Aesthetics
1. Temporary impacts from construction
  2. Visual disruption of new facilities
  3. Creation of a new source of light or glare
- I. Noise
1. Construction
  2. Operation
- J. Recreation
1. Disruptions
  2. Closures
- K. Open Space
1. Loss of
  2. Construction or operation related interference
  3. Conflict with local policies
- L. Cultural Resources
1. Facilities construction impacts
  2. Pipeline alignment excavation impacts
  3. Erosion impacts
  4. Inundation from ponds
  5. Impacts from land application of effluent
- M. Threatened or Endangered Species
1. Incidental taking of a species
  2. Potential for jeopardizing the viability of the population
  3. Loss of habitat
  4. Harassment
  5. Interference with movement/migration
  6. Disruption of reproductive activities
- N. Environmentally Sensitive Areas
1. Loss of environmentally significant agricultural land
  2. Incompatible activities within the coastal zone
  3. Removal, filling, hydraulic interruption, or other means of affecting wetlands as defined by Section 404 of the Clean Water Act
  4. Impacts to sensitive natural communities identified by DFG or FWS

5. Impacts on wild & scenic rivers
  6. Construction on floodplains that could impede floodwaters or expose structures to significant losses
  7. Loss of critical habitats
- O. Energy
1. Use during construction
  2. Use during operation
- P. Transportation/Circulation
1. Traffic interference during construction
  2. Traffic increases during construction and operation
  3. Parking interference during construction and operation
- Q. Public Services
1. Additional public services required for facilities operation
  2. Additional public services required for service area expansion
  3. Construction and operation interferences on public utilities
- R. Public Health and Safety
1. Use of reclaimed water
  2. Excavation of contaminated soils
  3. Mosquito attraction to open ponds
  4. Interference with emergency operations
  5. Use, storage, and disposal of hazardous materials
- S. Population and Housing
1. Additional work force for construction and operation
  2. Growth inducement
- T. Land Use and Zoning
1. Incompatible use of project site
  2. Conflict with surrounding land use or a Williamson Act contract

#### IV. MITIGATION MEASURES

- A. Commitment
1. Commitment is mandatory for mitigating significant impacts in a Mitigated Negative Declaration before it is circulated for review.
  2. Commitment for mitigating significant impacts in an EIR is necessary to avoid making a "Statement of Overriding Considerations".
- B. Specificity
1. Proposed future studies must include examples of mitigation measures that can be recommended from the studies.
  2. Monitoring must be accompanied by criteria that will trigger specific mitigation measures.
  3. Preparation of plans (e.g., an erosion control plan) must include specific examples of mitigation that the plan may include.
  4. Compliance with regulations must specify what regulations will do to

mitigate the identified impacts.

- C. Effects of a Mitigation Measure (If a mitigation measure could cause one or more significant effects, the effects of the mitigation measure should be discussed)

V. **PROJECT ALTERNATIVES** (For an EIR, discuss the environmental impacts, cost effectiveness, compatibility with proposed or existing projects, and reasons for rejection for each alternative; include future options, e.g., recycling regionalization, etc. Potential alternatives should be feasible and reasonable, and should accomplish the basic purposes of the project and avoid or substantially lessen significant effects.)

- A. Alternatives for Each Major Phase or Component of the Project
  1. Treatment processes
  2. Disposal
  3. Conveyance
  4. Discharges
- B. Alternative Siting Locations
  1. Treatment facilities
  2. Storage sites
  3. Discharge sites
  4. Disposal sites
  5. Conveyance lines
- C. Alternative Projects Which Could Accomplish the Project Objectives (Examples)
  1. Inflow and infiltration correction
  2. Upgrade of existing facilities
  3. Other
- D. No Project Alternative (must be included)
- E. Identification of the Environmentally Superior Alternative (if the "no project" alternative is not the environmentally superior alternative)

## VI. OTHER CEQA REQUIREMENTS

- A. Cumulative Impacts (Discuss effects of reasonably foreseeable projects or project phases in the area producing related or cumulative impacts including projects under the jurisdiction of other agencies).
  - 1. Projects related to, or similar to the proposed project
  - 2. Projects which produce environmental effects similar to those of the proposed project
- B. Growth Inducing Impacts (if none, explain why not)
  - 1. Ways in which the proposed project could encourage or accommodate growth directly or indirectly in the following areas:
    - a) Economy (e.g., building facilities that will create favorable conditions to attract businesses)
    - b) Population
      - (1) increasing the capacity of facilities to allow faster population growth
      - (2) increasing the supply of water available for population growth by replacing the use of existing water supplies with the use of reclaimed wastewater
    - c) Housing (e.g., expanding the service area to allow for more housing construction)
  - 2. Impacts (secondary or indirect) associated with growth inducement
    - a) Air pollution
    - b) Water pollution
    - c) Diminished resources
    - d) Displacement of plants and animals
    - e) Loss of open space
    - f) Loss of agricultural land
    - g) Transportation
    - h) Public Services
  - 3. Regional and Local Planning (including Air Quality Management Plans)
    - a) Information needed to make a conformity determination under the Federal General Conformity Rule for the Clean Air Act (wastewater treatment facilities in non-attainment areas which exceed the established "de minimus" thresholds for air pollutant emissions can be determined to conform if they are sized to meet only the needs of population projections that are in the applicable approved State Implementation Plan which contains the most recent planning assumptions).
    - b) Ability of current planning to deal with growth by providing the necessary infrastructure and support facilities while attempting to minimize adverse effects on the environment.

C. **UNAVOIDABLE SIGNIFICANT IMPACTS** (For an EIR, discuss any unavoidable significant impacts identified in the document, their implications and the reasons why the project is being proposed notwithstanding their effect.)