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INITIAL STUDY and  
Negative Declaration  
For

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GENERAL CONDITIONAL WAIVER OF WASTE  
DISCHARGE REQUIREMENTS  
FOR THE MANAGEMENT OF PETROLEUM-IMPACTED  
SOILS AT AUTHORIZED WASTE PILE MANAGEMENT  
FACILITIES ON ACTIVE OIL LEASES AND FEE  
PROPERTIES IN THE CENTRAL COAST REGION

Central Coast Regional Water Quality Control Board

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Prepared by:

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**ATTACHMENTS**

1. Draft General Waste Pile Order titled, “Order No. R3-2005-006, General Conditional Waiver of Waste Discharge Requirements for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Oil Field Leases and Fee Properties in the Central Coast Region”,
2. Draft General Waste Waiver Conditions titled, “Attachment A, Order No. R3-2005-006; Conditions for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Field Leases and Fee Properties in the Central Coast Region”, and
3. Draft General Waste Pile Monitoring Program titled, “General Monitoring and Reporting Program No. R3-2005-006 for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Oil Field Leases and Fee Properties in the Central Coast Region”.

## Project Information Form

### *Central Coast Regional Water Quality Control Board*

### Draft Negative Declaration

- 1. Project title:** Order No. R3-2005-006, General Conditional Waiver of Waste Discharge Requirements for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Oil Field Leases and Fee Properties in the Central Coast Region.
- 2. Lead agency name and address:** Central Coast Regional Water Quality Control Board  
895 Aerovista Place  
San Luis Obispo, CA 93401
- 3. Contact person and phone number:** Hector Hernandez, Water Resources Control Engineer  
(805) 542-4641
- 4. Project location:** Central Coast Region
- 5. Project sponsor's name and address:** Not applicable
- 6. General plan designation:** Not applicable
- 7. Zoning:** Not applicable
- 8. Description of project:**

By their nature, oil mining, production, and delivery operations generate large volumes of soils degraded by petroleum hydrocarbons and non-hazardous spent sandblasting aggregates. Sources of impacted soils include spills, maintenance, and operations. Pollutant types include unrefined "crude" oil, a variety of refined petroleum products, and to a lesser degree, chemical solvents, stabilizers, acids, metals, anti-fouling biocides, anti-rust and corrosion inhibiting compounds. Typical practices include stockpiling hydrocarbon-impacted material, screening out debris (e.g., pipeline segments, larger tar balls) and characterization for disposal/reuse. Oil-field operators need areas to temporarily store waste soils, treat and process them for reuse or disposal.

The following is a brief history of oil field related oversight in the Central Coast Region:

- 1973- Santa Maria beneficial use policy for clean drilling muds and clean oil.
- 1989- beneficial use policy becomes Region-wide.
- 1989-1998- beneficial use evolves into hydrocarbon impacted soils re-use.
- 1998- hydrocarbon impacted waste pile erosion closes US Highway 101 during the El Nino Winter.
- December 1998- Memorandum of Understanding (MOU) with Santa Barbara County Fire Department allows decommissioning to resume with a coordinated regulatory plan.

- 2000- Oil Field waste pile General Waste Discharge Requirements first drafted.
- January 1, 2003-Beneficial use waiver policy sunsets by legislative action.
- February 25, 2003-Proposed revision to the beneficial use portion of the Santa Barbara County (MOU).
- October 29, 2003 - Western States Petroleum Association (WSPA) proposes a revised amendment to the Santa Barbara County (MOU).

This General Waste Pile Waiver is needed to address the generation of petroleum-impacted soil waste piles during typical oil field operations. The proposed Order conditionally authorizes the operation and management of Waste Pile Management Facilities on “active” oil leases and fee properties. Approximately twenty sites, primarily in the Santa Maria-Cat Canyon area, are known to have waste piles currently. The conditions of the proposed General Order ensures that petroleum-impacted soils will not pose a significant threat to Water Quality by requires that Waste Pile Management Facilities be properly managed, with well-established and maintained erosion and run-on/off control Management Practices.

Parallel to this General Order is “*Order No. R3-2005-005, General Conditional Waiver of Waste Discharge Requirements for the Reuse of Non-hazardous Crude Oil Impacted Soils and Non-Hazardous Spent Sandblasting Aggregate on Active Oil Leases and Fee Properties in the Central Coast Region*”, to be used for restricted beneficial use on existing roads, berms and parking areas on active oilfields and for encapsulated fill uses elsewhere. This Waste Pile Waiver Order will provide a staging area to triage impacted soils for disposal, treatment and/or beneficial use options.

Proposed General Waste Pile Waiver Order No. R3-2005-006 and proposed General Reuse Waiver Order No. R3-2005-005 are an attempt to balance the regulatory requirements and needed water quality protections with the economic benefit of oilfield beneficial reuse. One provision in the proposed General Waste Pile Waiver Order requires the Discharger to submit a facility closure report within 60 days following the cessation of waste pile management operations. The closure report must detail the proposed facility closure procedures that will ensure the entire facility is restored to its original state. Specifically, the closure report shall outline the proposed steps and implementation schedule to completely remove and appropriately dispose of all petroleum-impacted soils from all storage, treatment, or processing areas. Reuse materials that may have been use in the construction of a liner or staging areas at the Waste Pile Management Facility may be left in-place so long as formal authorization from the property owner is obtained. The proposed General Reuse and Waste Pile Waivers are intended to provide a streamlined method of implementing needed regulatory structure.

Proposed Order No. R3-2005-006 and a Monitoring and Reporting Program will conditionally allow waste piles and treatment areas in support of oilfield operations. Conditions to protect water quality include:

- Permitting
- Construction standards
- Monitoring
- Reporting
- Inspections
- Verification monitoring (as necessary)

The conditions of the proposed General Waste Pile Waiver Order would require all owners and operators of active oilfield leases and fee properties in the Central Coast Region to: 1) enroll with the Water Board by submitting a report of waste discharge or other documentation that provides

sufficient information to demonstrate that compliance with the proposed Order can and will be achieved, 2) implement Management Practices (MP) to ensure that the storage, treatment, or processing of waste piles do not add pollutants to storm waters and surface water bodies, or impact underlying groundwater, and 3) comply with the proposed general monitoring and reporting program.

Enrollment in the General Waiver shall terminate for cause, including, but not limited to, the following, upon written notice from the Executive Officer. The Executive Officer may revoke or terminate the applicability of the general conditional waiver requirements to any petroleum-impacted waste pile activities at any time when the waste pile management activities could affect the quality or beneficial uses of the waters of the State. The Water Board may terminate this Waiver in its entirety or for any type of discharge or any specific discharge at any time.

Details of the proposed General Order conditions are contained in *Attachment A, Waiver Conditions for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Oil Filed Leases and Fee Properties in the Central Coast Region*. These discharges will not have a significant effect on the quality of waters of the state provided the corresponding criteria and conditions are met.

Implementation will be primarily carried out by Water Board staff, except where a Memorandum of Understanding (MOU) exists with local government to implement Water Board requirements. In Counties like Santa Barbara where the Water Board intends to develop an MOU, County staff will implement most of the field oversight and Water Board staff will review reports of waste discharge, monitoring reports and annual compliance reports and provide enforcement support as needed.

#### **9. Alternatives to this Proposal:**

- a. **No Project:** Non-hazardous crude oil impacted soils and non-hazardous spent sandblasting aggregates would need to be disposed of at a properly permitted waste disposal facility.
- b. **Allow industry voluntary compliance with land disposal regulations:** This describes the pre-existing situation that has demonstrated direct degradation of surface waters on several occasions in the Central Coast Region.

#### **9. Surrounding land uses and settings:**

The project encompasses eight active oil field areas of the Central Coast Region including, Santa Barbara, offshore Gaviota Coast, Santa Maria Valley (including Cat Canyon and Guadalupe), Casmalia Hills-Orcutt, Lompoc, Cuyama, Price Canyon near Arroyo Grande and the Salinas Valley (including San Ardo, King City & Monroe Swell).

The Central Coast Regional Water Quality Control Board has jurisdiction over all of the areas listed above, which all eventually drain to the Pacific Ocean. The areas listed above include all or part of the following counties: Santa Barbara, Ventura, San Luis Obispo, and Monterey.

#### **10. Other public agencies whose approval is required: None**

## Environmental Factors List

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental resource categories identified below are analyzed herein to determine whether the Proposed Project would result in adverse impacts to any of these resources. None of the categories below are checked because the Proposed Project is not expected to result in “significant or potentially significant impacts” to any of these resources.

|                               |                                    |
|-------------------------------|------------------------------------|
| Aesthetics                    | Biological Resources               |
| Hazards & Hazardous Materials | Mineral Resources                  |
| Public Services               | Utilities/Service Systems          |
| Agriculture Resources         | Cultural Resources                 |
| Hydrology/Water Quality       | Noise                              |
| Recreation                    | Mandatory Findings of Significance |
| Air Quality                   | Geology/Soils                      |
| Land Use Planning             | Transportation/Traffic             |

## Determination

The Central Coast Regional Water Quality Control Board has reviewed the proposed project and has determined that the project, based on the Initial Study attached hereto, will not have a significant effect on the environment. An environmental impact report is not required pursuant to the California Environmental Quality Act of 1970 (CEQA). This environmental review process and Negative Declaration is done in accordance with CEQA (PRC 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et. Seq.)

Based on the findings of the Initial Study, the project would not:

- Degrade the quality of the environment, substantially reduce the habitat of 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 California history or prehistory.
- Achieve short-term, to the disadvantage of long-term, environmental goals.
- Have impacts that are individually limited, but cumulatively considerable.
- Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.

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.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the Proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the Proposed Project could have a significant effect on the environment because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

No potentially significant impacts were identified.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Organization



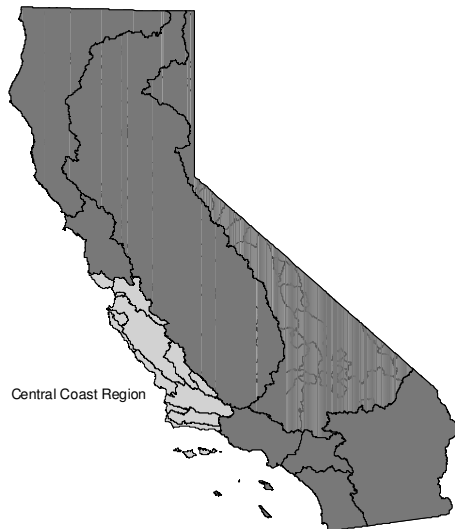
## 1 Initial Study

### 1.1 Project Purpose

The purpose of the project is to adopt “Order No. R3-2005-006, General Conditional Waiver of Waste Discharge Requirements for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Oil Field Leases and Fee Properties in the Central Coast Region” (General Order). The proposed General Order (See attached draft General Order, and draft Monitoring Program) would regulate facilities for waste soil screening and storing while chemistry analytical data is obtained to make decisions about the ultimate treatment, disposal or reuse option for the impacted soil material. Waste Pile Facilities would be located on active oil field leases and fee properties. The proposed General Order is consistent with the California Water Code and other goals, policies and objectives of the State of California.

### 1.2 Location

The proposed General Order applies to all active oil field leases and fee properties within the jurisdiction of the Central Coast Regional Water Quality Control Board. Presently, there are eight active oil field areas of the Central Coast region including, Santa Barbara, offshore Gaviota Coast, Santa Maria Valley (including Cat Canyon and Guadalupe), Casmalia Hills-Orcutt, Lompoc, Cuyama, Price Canyon near Arroyo Grande and the Salinas Valley (including San Ardo, King City & Monroe Swell).



### 1.3 Background

#### **Regulatory Requirements**

Oil facilities that have not released storm water resulting in a discharge of a reportable quantity (RQ) for which notification is or was required pursuant to 40 CFR Parts 110, 117, and 302 at any time after November 19, 1987 are not subject to the General NPDES Storm Water requirements unless the industrial storm water discharge contributed to a violation of a water quality standard. This exemption, however, does not exempt Waste Pile Management

Facilities from the storm water requirements pursuant to the Porter-Cologne Water Quality Control Act and the proposed General Order.

CWC Section 13260 requires persons who are discharging or who propose to discharge waste where it could impact the quality of waters of the State to submit a Report of Waste Discharge. However, CWC Section 13269(a) states that the provisions of subdivisions (a) and (c) of Section 13260, subdivision (a) of Section 13263, or subdivision (a) of Section 13264 may be waived by the state board or a regional board as to a specific discharge or type of discharge if the state board or a regional board determines, after any necessary state board or regional board meeting, that the waiver is consistent with any applicable state or regional water quality control plan and is in the public interest.

A waiver may not exceed five years in duration, but may be renewed by the state board or a regional board. The waiver shall be conditional and may be terminated at any time by the state board or a regional board. The conditions of the waiver shall include, but need not be limited to, the performance of individual, group, or watershed-based, monitoring.

The issuance of the proposed General Order establishing a General Waiver of Waste Discharge Requirements is consistent with the goal to provide water resources protection, enhancement, and restoration, while balancing economic and environmental impacts, as stated in the Strategic Plan of the State Water Board and the Water Board. Waiving waste discharge requirements for the discharge of petroleum-impacted soils at authorized Waste Pile Management Facilities, as defined and conditioned in **Attachment "A"** of the proposed General Order, is in the public interest.

The purpose of this regulatory program is to protect the beneficial uses of the waters of the State.

### **Historical Oil Field Activities in the Central Coast Region**

*See Page 4, "Project Information Form" above.*

### **Program Implementation Costs**

The issuance of the proposed General Order is consistent with the goal to provide water resources protection, enhancement, and restoration, while balancing economic and environmental impacts, as stated in the Strategic Plan of the State Water Resources Control Board (State Board) and the Water Board. The adoption of a General Conditional Waiver of WDRs to authorize the discharge of petroleum-impacted soils to regulated Waste Piles Facilities will assist in protecting groundwater and surface waters of the state from pollution or contamination, simplify and expedite the application process for the Discharger, and reduce Water Board time preparing and considering individual Orders or waivers for each Waste Pile project or facility.

The Water Board has attempted to consider costs to both the Water Board and the regulated community in developing the proposed General Order. Anticipated program implementation costs to the oilfield community include enrollment fees, project management and implementation, project design, construction and monitoring, and costs for generating technical reports. Costs to the Water Board include staff time for program development, outreach to the regulated community, submittal review, program oversight and enforcement.

The Water Board has endeavored to develop a cost-effective approach to water quality protection, by focusing monitoring efforts on ensuring “good and workmanlike” construction standards are applied by qualified and experienced personnel and appropriate Management Practices are developed and appropriately implemented at each approved Waste Pile Facility.

#### 1.4 Project Description

Oil mining, production, and delivery operations generate large volumes of petroleum-impacted soils. When handled properly, with well-established and maintained erosion control Management Practices, petroleum-impacted soils pose a limited threat to Water Quality. This proposed General Order is intended to permit the necessary facilities for waste soil screening and storing while chemistry analytical data is obtained to make decisions about the ultimate treatment, disposal or reuse option for the impacted soil material. We encourage the separation of crude oil impacted soils from those impacted by refined hydrocarbons, since only the crude oil impacted soils are proposed to be acceptable for beneficial reuse under Order No. R3-2005-005.

The Water Board proposes to adopt *Order No. R3-2005-006, General Conditional Waiver of Waste Discharge Requirements for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Oil Field Leases and Fee Properties in the Central Coast Region*. The proposed General Order establishes conditions under which petroleum-impacted waste materials may be managed. The General Order authorizes the Executive Officer to enroll and terminate enrollment of discharges that comply with the conditions of the Order, and any additional site-specific or discharge-specific conditions prescribed by the Executive Officer. Dischargers that wish to enroll in the General Order are required to provide, for Executive Officer approval, a report of waste discharge or other documentation that provides sufficient information to demonstrate that compliance with Order conditions can and will be achieved. The application fee will be a one-time-only enrollment fee that will be based on the discharge’s Threat to Water Quality and Complexity Rating, as defined in the fee schedule in California Code of Regulations Title 23, Division 3, Chapter 9, Article 1, Section 2200.

Applicants are not permitted to discharge pursuant to this General Order until the Executive Officer notifies the applicants that they have been enrolled. The Executive Officer will update the Water Board concerning all new enrollments during regularly scheduled meetings.

Primarily Water Board staff will carry out implementation of the General Order. Where a memorandum of understanding exists with local government to implement Water Board requirements, the local agency will also implement the General Order. For example, Santa Barbara County has a process in place for permitting these types of projects. After permitting by the County, Water Board staff will review the application package and annual reports. County staff will perform field inspections/observations.

This General Order will provide a staging area to triage waste soils for disposal, treatment and/or beneficial use options. The Waste Pile projects authorized by the proposed General Order will only occur on properties in active production with property owner notification. General Order conditions are established to ensure that Waste Pile Facilities result in well-maintained, durable, and stable products. When applied with proper Management Practices, these materials do not pose a significant threat to water quality.

The General Order establishes minimum standards for long-term maintenance, monitoring and reporting of all Executive Officer approved Waste Pile Facilities. On a site-by-site basis, Water Board staff will routinely evaluate the effectiveness and appropriateness of the

monitoring program and may revise it, on an as needed basis. Visual inspections/observations of all Waste Pile projects are required. Sampling and analysis of storm water may be required based on the proposed Waste Pile project and site-specific considerations. The proposed Order requires each discharger to comply with any more stringent relevant standards in the Basin Plan. In the event of a conflict between the provisions of the proposed Order and the Basin Plan, the more water quality protective provision will prevail.

The adoption of General WDRs for discharges of petroleum-impacted soils to waste piles, treatment and processing areas on Oil-Field Properties will assist in:

- Protecting waters of the state from pollution or contamination.
- Simplifying and expediting the application process for the Discharger.
- Reducing Water Board time preparing and considering individual Waste Pile Orders.

The issuance of the proposed General Order is consistent with the goal to provide water resources protection, enhancement, and restoration, while balancing economic and environmental impacts, as stated in the Strategic Plan of the State Board and the Water Board.

*More specific details concerning the project description may be found on Page 4, "Project Information Form" above.*

### **Enrollment**

All applicants will be required to submit the following information as part of their complete application package for enrollment consideration:

Complete Report of Waste Discharge (ROWD) and an appropriate filing fee for each Waste Pile management Facility. The ROWD shall include the following:

1. A complete Form 200: Application for Facility Permit/Waste Discharge.
2. Names, addresses, and phone numbers of both the Discharger and the property owner where the discharge occurred or will occur.
3. Source – The source(s) of the petroleum-impacted soil material must be identified by name of the lease or fee property and description of location where the spill occurred or where material was generated. Include maps and latitude and longitudinal coordinates, if known and when readily available.
4. Facility Location – The proposed Waste Pile Management Facility location must be identified by name of the lease or fee property and a positional description with reference to oil wells or other existing landmarks.
5. A site plan including:
  - a. Location,
  - b. Size (acreage) and shape,
  - c. Limits (physical boundaries) of Waste Pile Management Facility, and
  - d. Storm water run-on and run-off control device locations.
6. A proposed facility Construction Plan. At a minimum, the construction plan shall include the facility's topographical contours, all proposed infrastructure, storage, processing, and treatment locations, and proposed liner details.
7. A Compliance Plan – This plan shall describe the proposed strategy/plan of action to achieve compliance with the conditions of the General Waiver and General MRP.

8. A schedule for the installation of any proposed monitoring system/devices. If monitoring devices are planned, the proposed monitoring locations shall be presented.
9. A proposed Implementation Plan, designed specifically for the proposed water quality-monitoring program and as required by the General MRP, as specified by the Executive Officer.
10. A discussion of the Waste Pile Management Facility and waste characteristics including:
  - a. Description of Waste Pile Management Facility's proposed storage, operation, treatment, processing (mixing) and maintenance activities and associated locations for each.
  - b. Description of types of waste handled and proposed processing/screening procedures. This section must include a specific description of the proposed sampling and analyses protocol to be utilized to characterize the petroleum-impacted soil waste piles. This section must also include a description of the proposed soil screening procedures to be used (i.e., criteria and sampling protocol to determine which soils meet beneficial reuse standards, require offsite disposal or require further processing and treatment must be clearly defined).
  - c. Identification of the total volume of waste handling capacity.
  - d. Identification of the expected time period during which petroleum-impacted soils will be handled/processed at the Waste Pile Management Facility.
  - e. Present and future (if known) land use of the Waste Pile Management Facilities.
  - f. A topographical scale map showing the location, users and uses of all water wells and surface water bodies (creeks, rivers, lakes, etc.) located within ½ mile of the Waste Pile Management Facility.
  - g. Any other information pertinent to protection of water quality or public health and prevention of nuisance.
  - h. A proposed Management Practices (MP) Plan addressing the entire Waste Pile Management Facility. The MP Plan shall include the following items:
    - i. A location map depicting all proposed structural and non-structural Management Practices for the entire Waste Pile Management Facility.
    - ii. Propos non-structural Management Practices. These typically include processes, prohibitions, procedures, activity schedules, etc., that prevent pollutants from contacting storm water discharges. Examples include good housekeeping, preventative maintenance, spill response, material handling and storage, employee training, waste handling, record keeping, inspections, and quality assurance.
    - iii. Proposed structural Management Practices. These generally consist of structural devices that reduce or prevent pollutants in storm water discharges. Examples may include control devices such as berms, secondary containment structures, and treatments such as erosion and sediment control, inlet controls, vegetative swales, etc.
11. Liquids management strategy – provide details on how liquid wastes (oily liquids, produced water and storm water) will be managed throughout the active life of the Waste Pile Management Facility. The proposed liquids management strategy must address the intended disposal method(s).
12. Fee – The application shall include a one-time fee corresponding to the lowest “threat” and “complexity” ratings, as identified in the State Water Board's (SWRCB's) fee schedule.
13. Local agency certification – A letter from the local permitting agency with jurisdictional authority certifying that it has permitted the proposed Waste Pile Management Facility.
14. Landowner Notification – a copy of the formal notification letter sent to the property landowner noticing the proposed waste pile project.

**Waste Pile Order Conditions**

All Waste Pile Facilities will be required to meet the following conditions:

1. Discharge of materials classified as “hazardous,” as defined in California Code of Regulations (CCR), Title 23, Section 2521, or hazardous waste that has been granted a variance from hazardous waste management requirements pursuant to Section 25143 of the Health and Safety Code, or hazardous materials and hazardous wastes defined per CCR Title 22, Division 4, Chapter 30, and Article 11, or Resource Conservation and Recovery Act hazardous waste defined per 42 USCA Section 6903, or chemical substances or mixtures regulated under Section 6 of the Toxic Substances Control Act (15 USCA Section 2605), is prohibited.
2. Discharge of waste to areas outside the approved boundary of the Waste Pile Facilities is prohibited.
3. Discharge of waste other than petroleum-impacted soils and spent sandblasting aggregates is prohibited.
4. Discharge of waste to ponded water or waters of the State, including surface water, perched water, ephemeral drainages and groundwater, is prohibited.
5. Wastes and waste treatment are prohibited from occurring within five feet of the highest elevation of underlying groundwater (including perched water).
6. Petroleum-impacted soil stockpiling and/or establishment of a treatment/processing area of petroleum-impacted soil and spent aggregates is prohibited without proper notification and full disclosure to the property owner, a copy of which has been provided to the Water Board.
7. Permanent disposal (e.g., landfilling) under the authority of this General Order is prohibited.
9. The discharge of petroleum-impacted materials shall not 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.
10. The discharge of petroleum-impacted materials shall not conflict with any applicable habitat conservation plan or natural community conservation plan.
11. The discharge of petroleum-impacted materials to the habitat of a sensitive, special status or candidate species without proper permitting and mitigation is prohibited.
12. The discharge of petroleum-impacted materials shall not cause a substantial adverse change in the significance of a historical or archaeological resource as defined in §15064.5 of the California Environmental Quality Act (CEQA) Guidelines.
13. The discharge of petroleum-impacted materials shall not directly or indirectly destroy a unique paleontological resource or sites of unique geologic feature, nor disturb any human remains, including those interred outside of formal cemeteries.
14. Waste Pile Facilities shall not be located in the upper parts of known landslides or in landslide prone areas without a prior geologic evaluation.
15. The placement of permanent or inhabitable structures on petroleum-impacted soils is prohibited.

**Water Quality Monitoring**

Water quality monitoring is a requirement of the General Order. Dischargers will be required to comply with *General Monitoring and Reporting Program No. R3-2005-00 for the Management of Petroleum-Impacted Soils at Authorized Waste Pile Management Facilities on Active Oil Leases and Fee Properties in the Central Coast Region*. The proposed General Orders’ monitoring and reporting program consists of:

**Site Inspection and Observations:** This section established criteria for routine (as needed) visual inspections within and surrounding all authorized Waste Pile Management Facilities. Visual observations will help ensure all necessary Management Practices are in place so as to effectively prevent offsite storm water discharges.

**Data Logging, Reporting and Notification Requirements:** This section establishes formats and requirements that the Discharger must follow when submitting analytical data, annual reports, and summaries to the Water Board. It includes notification requirements, contingency response and reporting requirements.

The primary purpose of the general monitoring and reporting program is to ensure all approved Waste Pile Facilities are well designed and constructed so that the erosion potential and storm water runoff from the Waste Pile Facility is prevented to the extent possible. The proposed monitoring program will evaluate the effectiveness of management practices being implemented and require the Discharger to provide prompt and appropriate notification in the event of noncompliance potentially or actually endangering health or the environment, any flooding, equipment failure, or other change in site conditions, which could impair the integrity of the site or any portion thereof.

#### **Assessing Program Effectiveness**

Requirements of the proposed General Order include reasonable Management Practices to minimize water quality impacts. Management Practices to reduce the amount of waste produced or contain runoff are more feasible and more effective than treatment methods and will be strongly encouraged. The General Order protects the environment in two ways: by encouraging recycling of oilfield waste rather than disposal in landfills or in place, and by ensuring that the recycling occurs in a manner protective of water quality. The proposed General Order includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the state, and it contains more specific and more stringent conditions for protection of water quality compared to existing regulatory programs.

Although a discharge may qualify for General Order enrollment, the Water Board may regulate that discharge through other programs or Water Board actions (such as enforcement orders, individual waste discharge requirements, general orders, etc.).

The Water Board will use a variety of tools to evaluate the overall effectiveness of the General Order program. The Executive Officer will approve all proposed Waste Pile projects individually via approval of a complete report of waste discharge. Water Board staff will coordinate with local enforcement agencies to ensure compliance with approved management practices (MP) and monitoring requirements are achieved.

Water quality-monitoring (as applicable), inspections by local enforcement agencies will be used in conjunction with MP implementation to determine progress toward meeting conditions of the General Order.

Staff will review progress and evaluate program effectiveness on an on-going basis. The Executive Officer is authorized to enroll and terminate enrollment in the General Order.

### 1.5 Environmental Setting

The project encompasses eight active oil field areas of the Central Coast region including, Santa Barbara, offshore Gaviota Coast, Santa Maria Valley (including Cat Canyon and Guadalupe), Casmalia Hills-Orcutt, Lompoc, Cuyama, Price Canyon near Arroyo Grande and the Salinas Valley (including San Ardo, King City & Monroe Swell).

The Central Coast Regional Water Quality Control Board has jurisdiction over all of the areas listed above, which all eventually drain to the Pacific Ocean. The areas listed above include all or part of the following counties: Santa Barbara, Ventura, San Luis Obispo, and Monterey.

The Central Coast Regional Water Quality Control Board has jurisdiction over a 300-mile long by 40-mile wide section of the State's central coast. Its geographic area encompasses all of Santa Cruz, San Benito, Monterey, San Luis Obispo, and Santa Barbara Counties as well as the southern one-third of Santa Clara County, and small portions of San Mateo, Kern, and Ventura Counties. Included in the region are urban areas such as the Monterey Peninsula and the Santa Barbara coastal plain, prime agricultural lands in the Pajaro, Salinas, and Santa Maria, Valleys, National Forest lands, extremely wet areas like the Santa Cruz mountains, and arid areas like the Carrizo Plain. Some physical characteristics of the Region are listed below:

#### CENTRAL COAST REGION<sup>1</sup>

| <u>CHARACTERISTICS</u>                   | <u>NUMBER</u>       | <u>MEASURE</u>     |
|------------------------------------------|---------------------|--------------------|
| Area of Region                           | 11,274 square miles |                    |
| Streams                                  | Unknown             | 2,360 miles        |
| Lakes                                    | 99                  | 25,040 acres       |
| Ground Water Basins                      | 53                  | 3,559 square miles |
| Mainland Coast -                         | 378 miles           |                    |
| Wetlands and Estuaries                   | 59                  | 8,387 acres        |
| Areas of Special Biological Significance | 9                   | 235,825 acres      |

Topographic features are dominated by a rugged seacoast and three parallel ranges of the Southern Coast Mountains. Ridges and peaks of these mountains, the Diablo, Gabilan, and Santa Lucia Ranges, reach to 5,800 feet. Between these ranges are the broad valleys of the San Benito and Salinas Rivers. These Southern Coast Ranges abut the west to east trending Santa Ynez Mountains of the Transverse Ranges that parallel the southern exposed terraces of the Santa Barbara Coast.

<sup>1</sup> Water Quality Assessment for Water Years 1986 and 1987, Water Quality Monitoring Report No. 88-1 Water Quality, Division of Water Quality, State Water Resources Control Board, July, 1988.



The trend of the mountain ranges, relative to onshore air mass movement, imparts a marked climatic contrast between seacoast, exposed summits, and interior basins. Variations in terrain, climate, and vegetation account for a multitude of different landscapes. Seacliffs, sea stacks, white beaches, cypress groves, and redwood forests along the coastal strand contrast with the dry interior landscape of small sagebrush, short grass, and low chaparral.

## 2 Environmental Significance Checklist

This Environmental Checklist has been prepared in compliance with the requirements of CEQA relating to certified regulatory programs.

| IMPACT                                                                                                                                                   | POTENTIALLY<br>SIGNIFICANT<br>IMPACT | POTENTIALLY<br>SIGNIFICANT<br>UNLESS<br>MITIGATION<br>INCORPORATION | LESS THAN<br>SIGNIFICANT<br>IMPACT | NO IMPACT                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------------------|------------------------------------|-------------------------------------|
| <br><b>2.1 Aesthetics</b>                                                                                                                                |                                      |                                                                     |                                    |                                     |
| <b>Would the Project:</b>                                                                                                                                |                                      |                                                                     |                                    |                                     |
| a) Have a substantial adverse effect on a scenic vista?                                                                                                  | <input type="checkbox"/>             | <input type="checkbox"/>                                            | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/>             | <input type="checkbox"/>                                            | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                                            | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?                                   | <input type="checkbox"/>             | <input type="checkbox"/>                                            | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

### 2.2 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:**

|                                                                                                                                                                                                                                                |                          |                          |                          |                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| IMPACT | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT |
|--------|--------------------------------|---------------------------------------------------------|------------------------------|-----------|
|--------|--------------------------------|---------------------------------------------------------|------------------------------|-----------|

**2.3 Air Quality**

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

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 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)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

**2.4 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 regulators, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US fish and Wildlife Service?
- 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?

| IMPACT                                                                                                                                                                                                                             | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?                                               | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

2.5 Cultural Resources

Would the Project:

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

2.6 Geology and Soils

Would the Project:

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

| IMPACT                                                                                                                                                                                                                             | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| iii) Seismic-related ground failure, including liquefaction?                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| iv) Landslides?                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform building Code (1994), creating substantial risks to life or property?                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**2.7 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                                                                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 Project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| IMPACT                                                                                                                                                                                                                | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| f) For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <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 wild land fires, including where woodlands are adjacent to urbanized areas or where residences are intermixed with woodlands? | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**2.8 Hydrology and Water Quality**

**Would the Project:**

|                                                                                                                                                                                                                                                                                                                                                                                             |                          |                          |                          |                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?                                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which results in flooding on- or off-site?                                                                                                                       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?                                                                                                                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| IMPACT                                                                                                                                                               | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality?                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?                                                                 | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <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 type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?                                                                                                                        | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**2.9 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?                                                                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**2.10 Mineral Resources**

**Would the Project:**

|                                                                                                                                        |                          |                          |                          |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

| IMPACT                                                                                                                                                                | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| 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"/> |

**2.11 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?                                                                                                                                                           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?                                                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <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 expose people residing or working in the Project 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 Project area to excessive noise levels?                                                                                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**2.12 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"/> |



| IMPACT                                                                                                      | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|-------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| 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"/> |

**2.13 Public Services**

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

|                          |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**2.14 Recreation**

a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

**2.15 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 to roads, or congestion at intersections?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b) Exceed, either individually or cumulatively, a level of service standard established by the

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

| IMPACT                                                                                                                                                          | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| county congestion/management agency for designated roads or highways?                                                                                           |                                |                                                         |                              |                                     |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?          | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity?                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?                                | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**2.16 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/> |

| IMPACT                                                                                                                 | POTENTIALLY SIGNIFICANT IMPACT | POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATION | LESS THAN SIGNIFICANT IMPACT | NO IMPACT                           |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------|------------------------------|-------------------------------------|
| 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 type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?                              | <input type="checkbox"/>       | <input type="checkbox"/>                                | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**2.17 Mandatory Findings of Significance**

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

### 3 Thresholds of Significance

For the purposes of making impact determinations, potential impacts were determined to be significant if the Proposed Project would result in changes in environmental condition that would, either directly or indirectly, cause a substantial loss of habitat, substantial or substantial degradation of water quality or other resources.

#### ***Discussion of Environmental Impacts***

The analysis of potential environmental impacts is based on possible impacts associated with petroleum-impacted materials that will be managed within Waste Pile Facilities. The proposed project is consistent with the goal to provide water resources protection, enhancement, and restoration, while balancing economic and environmental impacts, as stated in the Strategic Plan of the State Board and the Water Board. Potential impacts to biological, agricultural and water resources are discussed below, but are generally found to be of no significance.

The following information presents the justification for the CEQA checklist rankings and references mitigation in the proposed General Order.

#### ***3.1 Aesthetics***

None of the potential practices described above would alter any scenic vistas, damage scenic resources, degrade the visual character of any site, or adversely affect day or nighttime views. Most of the uses of this material would be on sites that were previously disturbed. If new sites (e.g., storage and processing areas) are proposed the Discharger must obtain applicable local permits and Executive Officer approval.

The proposed General Order authorizes Waste Pile Facilities to be located only on active oil field leases and fee properties and only after the property owner is notified of the proposed project.

#### ***3.2 Agricultural Resources***

The purpose of the General Order is to allow for the proper management (storage, processing and treatment) of petroleum-impacted soils within lined Waste Pile Facilities that are located on active oil leases and fee properties in a manner that will be protective of water quality.

Storing waste soils and treating them or processing them for reuse or disposal on pre-existing oilfields, even in agricultural areas, does not result in farmland conversion. The storage of waste piles and treatment and processing areas require local agency permitting that must address whether the storage and processing areas results in farmland conversion. Contaminated runoff from waste piles and processing areas must be controlled and managed within the footprint of the designated Waste Pile Facility and should not render grounds unsuitable for farming outside those areas.

#### ***3.3 Air Quality***

The Waste Pile Management Facilities are associated with soils derived from pre-existing spills and should not add additional total air pollutants from the source material. Exhaust from trucks hauling the material to waste pile sites will generate emissions that should be less than those to take the material to permitted land disposal facilities due to the probable closer proximity of waste pile areas. Spill cleanup would be required even if there were no regulated waste pile storage and processing areas.

This Order prohibits the movement of petroleum-impacted materials to or from an area of sensitive receptors without proper permitting and mitigation. This Order prohibits operations that create nuisance. Objectionable odors is not considered a significant factor since the Waste Pile Management Facilities are authorized only within existing oilfield lease sites, away from a substantial number of people.

### *3.4 Biological Resources*

Any potential impact of the residual low level chronic toxicity compounds on riparian habitat, wetlands or migratory wildlife should be mitigated by drainage setback conditions and erosion control to keep waste pile materials confined to the waste pile and processing footprint area. This Order prohibits locating Waste Pile Management Facilities on the habitat of a sensitive, special status or candidate species without proper permitting and mitigation.

### *3.5 Cultural Resources*

This Order prohibits placement of any Waste Pile Management Facility or petroleum-impacted materials over a significant or unique cultural resource area

### *3.6 Geology and Soils*

Structures placed on waste pile storage areas must have a separate environmental review for geologic hazards. Waste Pile Management Facilities may not be located in the upper parts of known landslides or in landslide prone areas without a prior geologic evaluation. Placement of petroleum-impacted waste pile materials will only occur directly over a low permeability barrier (liner).

Implementation of the proposed General Order will not affect the geology of the region and will not expose people to additional geologic hazards. Structures placed on petroleum-impacted materials must have a separate environmental review for geologic hazards and are not authorized by the General Order. Petroleum-impacted materials may not be placed in the upper parts of known landslides or in landslide prone areas without a prior geologic evaluation. Placement of petroleum-impacted materials is prohibited outside the permitted Waste Pile Facility.

### *3.7 Hazards and Hazardous Materials*

General Order conditions prohibit Title 22 hazardous materials and from being used at Waste Pile Facilities. A structure cannot be constructed on or near a Waste Pile Facility, until a study determines that residual of breakdown volatiles and/or semi-volatiles could not accumulate in or otherwise pose any danger to the structure. Studies must be done for schools proposed within one-quarter mile and/or for waste pile materials proposed to be stored, treated or processed within one-quarter mile of a school.

### *3.8 Hydrology and Water Quality*

As a Regional Board adopted general waiver of waste discharge requirements, this action would not violate water quality standards or waste discharge requirements. Surface water and groundwater should not be impaired as long as the conditions in this Order are fully applied. Petroleum-impacted soil materials that are stored, treated or processed should not alter drainage courses or be inundated by mudflows since it is prohibited from being placed in those drainage courses. Waste Pile Management Facilities are required to implement erosion control management practices that include preventing runoff from the Waste Pile Management Facilities and keeping turbid water from discharging from the

Waste Pile Managing Facilities. Inundation of this soil by a tsunami or seiche would be a de-minimus problem when compared with other issues.

### *3.9 Land Use and Planning*

Implementation of the proposed General Order should not result in any changes in land use or planning. Each grading permit for constructing a Waste Pile Management Facility will address these issues. Waste Pile Management Facilities shall comply with any and all applicable conditions in any existing habitat conservation and natural community conservation plans.

### *3.10 Mineral Resources*

Insignificant since waste piles could be removed to access mineral resources.

### *3.11 Noise*

The proposed General Order should have no impact on noise in the project area. Waste Pile Management Facilities will generate less noise than a cut and fill grading project and be the same as any fill project. Applicable grading permits would have the same time limits of truck and equipment operation regardless of the type of project.

### *3.12 Population and Housing*

The storage, treatment and processing of crude oil impacted materials may reduce grading costs slightly that may result in more affordable development. This potential impact is speculative, but even if it occurs it would not cause a significant growth inducement.

### *3.13 Public Services*

In some local agency areas, fire protection staff is involved with administering waste disposal materials that may overlap with the storage of waste soils. Immediate health & safety issues should result in waste soil storage and processing administration being halted until the crisis passes. However, the administration of the majority of Waste Pile Management Facilities may be delayed or postponed without significant or adverse impacts to the environment.

### *3.14 Recreation*

No impact.

### *3.15 Transportation/Traffic*

Projects receiving waste soil materials for storage and processing may result in a temporary increase in truck traffic hauling the soil. The projects where waste materials will be stored should address traffic issues associated with importing soil. The anticipated impact is insignificant.

### *3.16 Utilities and Service Systems*

The adoption of the general waste discharge requirements by the Regional Board will bring crude oil impacted soil storage and processing operations into compliance with statutes and regulations. If some of this material needs to be disposed in a landfill, it may be placed in the Santa Maria City landfill, which presently accepts non-hazardous hydrocarbon-impacted soils. Presently, the

City of Santa Maria in conjunction with the County of Santa Barbara is actively pursuing the siting of a new Regional Landfill, which may also choose to accept hydrocarbon-impacted soils. Minor insignificant modifications to drainage patterns may occur through erosion control practices. Insignificant water usage may occur to achieve any needed compaction, dust control, or processing of stored waste materials.

### *3.17 Mandatory Findings of Significance*

Adoption of Order No. R3-2005-006 for discharges of petroleum-impacted soils to waste piles and treatment areas on oil-field properties will enhance environment, habitat, fish and wildlife populations, plant and animal communities and rare or endangered plant and animal species by identifying problem compounds and eliminating them from long-term storage. The General Order ensures appropriate disposal or treatment of prohibited waste materials and establishes a regulatory framework for the storage and processing of petroleum-impacted soils that does not exist today. As long as compliance with the proposed General Order is achieved and proper CEQA guidelines are followed by local agencies for grading permits, historic and prehistoric resources should not be impacted.

Cumulative impacts on landfill space and remedial costs of oil field properties should be reduced. Cumulative effects of increased human exposure to polycyclic aromatic hydrocarbons in crude oil are considered insignificant since levels of these compounds are capped by the lower of USEPA preliminary remediation goals or Water Board environmental screening levels. Future developments regarding crude oil toxicity will continue to need monitoring and evaluation since a large portion of crude oil is unresolved complex mixture that may be discovered to contain other toxic compounds.

## **Public Participation and Agency Consultation**

Interested parties, agencies and the public have been consulted throughout the development of the proposed General Order. Water Board staff met with, or contacted by phone or email, oilfield industry representatives, environmental groups (e.g., calls to ECOSLO, Sierra Club, and Environmental Defense Center prior to workshops), and local entities such as Division of Oil, Gas and Geothermal Resources Santa Maria Office, Santa Barbara County Energy Division, Santa Barbara County Petroleum Division, Santa Barbara County Fire Protection Division, and Santa Barbara County Health Department. In addition, the Water Board held three public workshops at our San Luis Obispo office to hear public testimony prior to completing the draft proposed General Order and Initial Study/Negative Declaration.