

**California Environmental Quality Act
(CEQA)**

INITIAL STUDY

and Mitigated Negative Declaration

for

General Waste Discharge Requirements and General Water Quality Certification
for Rural Road Projects in the North Coast Region

April 8/9, 2024

California Regional Water Quality Control Board, North Coast Region

5550 Skylane Blvd.
Santa Rosa, CA 95403

Prepared By:

California Regional Water Quality Control Board, North Coast Region

Contact:

Jim Burke, (707) 576-2289

James.Burke@waterboards.ca.gov

CEQA ENVIRONMENTAL CHECKLIST

PROJECT DESCRIPTION AND BACKGROUND

1. **Project Title:**
General Waste Discharge Requirements and General Water Quality Certification for Rural Road and Watercourse Construction and Reconstruction Activities in the North Coast Region, Order No. R1-2024-0002 (Attachment A).
2. **Lead agency name and address:**
North Coast Region Regional Water Quality Control Board (Regional Water Board),
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403
3. **Preparer and phone number:**
Jim Burke, (707) 576-2289
4. **Project location:**
North Coast region (Figure 1), which includes all of Mendocino, Humboldt, and Del Norte Counties, and portions of Trinity, Siskiyou, Modoc, Glenn, Lake, Sonoma, and Marin Counties, and comprises all basins including Lower Klamath Lake and Lost River Basins draining into the Pacific Ocean from the California-Oregon state line southerly to the southerly boundary of the watershed of the Estero de San Antonio and Stemple Creek in Marin and Sonoma Counties.
5. **Project sponsor's name and address:**
California Regional Water Quality Control Board, North Coast Region
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403
Attn: Jim Burke
6. **Brief Description of Project:**
The project is the issuance of General Waste Discharge Requirements and General 401 Water Quality Certification to address pollutant discharges and potential impacts to waters of the state from activities associated with projects that include construction, reconstruction or decommissioning of rural road segments and watercourse crossings and to ensure that such projects incorporate appropriate best management practices (BMPs) for water quality protection described below. The purpose of the Order is to ensure that rural road projects implement all applicable provisions of the Water Quality Control Plan for the North Coast Region (Basin Plan), provide an efficient permitting mechanism to insure adequate regulatory oversight and that covered projects are designed and implemented to prevent or minimize sediment discharges and other impacts to beneficial uses of water. Such activities have the potential to adversely affect waters of the state from short term increases in erosion and

sediment delivery, impede migration of aquatic organisms and degrade habitat and/or result in alterations to riparian systems that may reduce shade and affect water temperatures. However, some short term impacts may be considered to be “self-mitigating” for those projects that upgrade or decommission hydrologically connected road segments and watercourse crossings when appropriate BMP from referenced guidance documents and applicable general mitigation measures as required by the Order will result in long term benefits to water quality.

Background

The North Coast Region encompasses 19,390 square miles, containing over 6,000 miles of rural roads. Rural roads are defined as low traffic roads located in forested and rangeland settings that serve residential, recreational and resource management uses. Rural roads may be owned and/or managed by governmental or private parties. Rural roads are an essential component of the transportation system in the North Coast Region. Rural areas commonly lack public transportation and residents depend on their private vehicles to get them to work, school and shopping sites. Rural roads also serve numerous recreational users every year. In emergencies such as wildfire and flooding events, rural roads provide the means for emergency response and evacuation.

Many rural roads are one or two lanes wide with natural, gravel or other road surfacing that were originally constructed to relatively low standards, with a limited budget, and intended to support older land use objectives. They may be “legacy” roads originally constructed as railroad grades, wagon trails or historic logging roads. Often, rural roads were constructed in locations that were necessary to match the construction equipment and technologies of the day, and often lacked modern design principles and environmental protection standards. However, many historic road networks have remained on the landscape and now service contemporary land use practices.

Rural roads and their associated watercourse crossings are amongst the most significant sources of anthropogenic sediment delivery to watersheds. Total Maximum Daily Loads (TMDL) developed for sediment impaired watersheds, as well as numerous scientific studies, recognize rural roads as being responsible for: 1) increased chronic sediment discharges from hydrologically connected road segments ; 2) increased potential for stream diversions (stream channel capture), rill and gully erosion, and shallow landslides, and; 3) discharge of significant portions of earthen material contained in the crossing due to episodic failures of the plugged or malfunctioning watercourse crossing structures.

Roads often alter the hydrologic pattern of natural stream networks. Their intersection of the hillslope disrupts the natural surface and subsurface flow of runoff and many roads were originally designed to be hydrologically connected to watercourses. Inboard ditches capture this runoff from the hillslope, road surface, and cutslopes, and deliver it to another location, usually through a stream crossing or a cross-drain (ditch relief culvert).

Roadways are a source for materials that, when washed into watercourses, can degrade water quality and harm aquatic life. They are also a medium for transporting substances deposited on the roadway, such as oil and grease from vehicles. In urban areas, roadway runoff is often a major source of chemical contaminants. In rural roads throughout the North Coast region, sediment is the primary water quality concern from roads.

Fine sediment, in particular, adversely affects salmon and steelhead habitat by filling in pools and spawning gravels. Too much fine sediment can smother eggs laid in stream gravels and reduce the quality of aquatic invertebrates available as fish food. When in suspension, fine sediment creates turbid water conditions which, when excessively high, can affect the gills and respiratory health of fish and impact aquatic invertebrates.

When roads are hydrologically connected to watercourses, the concentrated flow of water can generate sediment if it crosses on unprotected soils, develops gullies, or cuts into stream banks. Roads can also trigger landslides from oversaturated conditions, especially on poorly compacted or over steepened fill-slopes. Disconnecting roads from streams involves limiting the concentration of surface discharge and using permeable soils on the natural ground and road fill-slopes to infiltrate runoff and convert it to subsurface flow before it can reach a stream.

Poor road construction and maintenance are associated with higher erosion rates. In contrast, routine maintenance removes sediment deposited in roadside ditches from cut bank erosion and other sources and minimizes the opportunity for it to enter a watercourse. Stream crossing sites represent the majority of the potential erosion due to the volume of material that could be washed out from road failures at undersized culverts that become blocked with debris during a flood event.

Remedial measures to correct existing and potential road erosion include (but are not limited to): replacing undersized culverts, creating critical dips at stream crossings, out sloping the road surface, adding more ditch relief culverts to in-sloped roads, rocking or paving the road surface, re-establishing natural drainage patterns, revegetating cut banks and fill-slopes, and repairing 'shotgun' culverts.

The Regional Water Board is not the lead permitting agency with the authority to approve or otherwise determine whether or not such projects will occur. This role typically falls under the authority of the counties or other local jurisdictions. The Order simply establishes requirements that such projects be designed and implemented to incorporate BMPs to reduce the potential for road related sediment discharge and protection of beneficial uses of water. Such BMPs have become standard on many well managed rural ownerships throughout the North Coast. A proactive approach to road and watercourse crossing construction,

reconstruction, decommissioning and maintenance is effective and essential to controlling sediment discharge from roads as well as preventing road failures that impede critical access to remote areas. Numerous guidance documents or manuals are readily available that provide information on general principles and specific practical specifications for reducing sediment discharge from roads. In the North Coast Region, one such widely used reference document for planning, designing, constructing, reconstructing, maintaining, and decommissioning roads on forestlands that was developed and subsequently updated with support from Regional Water Board is the Handbook of Forest, Ranch, and Rural Roads (PWA Handbook)(Weaver and Hagans, 2014). The PWA Handbook contains practical and comprehensive guidance for designing, constructing, reconstructing, maintaining, and decommissioning rural roads that Regional Water Board have determined to be adequate and necessary to control sediment discharge and protect beneficial uses of water from roads. Similar guidance can be found from other sources as well, such as the Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds (5C Roads Manual), California Forest Practice Rules, “Road Rules” (Cal. Code Regs., tit. 14, §§ 923), *Designing Watercourse Crossings for Passage of 100-Year Flood Flows, Wood, and Sediment* (Caferatta et al, 2017), and others. The California Department of Parks and Recreation (California State Park), has developed guidance documents for projects on roads, trails and watercourse crossings. These documents provide practical field guidance on construction BMPs that were developed and tested in Northern California, which taken as a whole, provide information that is generally equivalent to that provided in the PWA Handbook and other materials referenced in the Order. Road, trail and watercourse crossing projects that implement applicable BMPs from these guidance documents, are considered to result in long term protection of water quality and meet the objectives of ecological enhancement.

Taken together, such current standard practices can informally be referred to as Best Management Practices (BMPs) for roads. Roads that have implemented all feasible site-specific sediment control measures as described in standard references such as the PWA Handbook are referred to as “storm-proofed”, and generally incorporate the design features summarized below into construction or reconstruction of roads and watercourse crossing:

- Designing watercourse crossings to minimize the potential for crossing failure and diversion of streams and sizing adequately to accommodate estimated 100-year flood flows (including wood and sediment);
- Hydrologically disconnecting road segments from watercourses and minimizing concentration of surface runoff by installing drainage structures at sufficient intervals to disperse runoff so as to avoid gully formation and minimize erosion of the road surface and inside ditches; and

- Identifying and treating potential road failures (mostly fill slope failures) that fail and deliver sediment to streams.

The PWA Handbook provides a summary of the characteristics of stormproofed roads and watercourse crossings, which serve as performance standards for rural road projects. Landowners must identify in the Notice of Intent which of these features will be incorporated into their project.

Overview of the Order

To be covered under the Order, an applicant must sign and submit a completed Notice of Intent (NOI) to the Regional Water Board. The NOI must be signed by the Discharger and certify their intent to implement all applicable BMPs and comply with all applicable requirements of this Order and is therefore an enforceable agreement between the applicant and the Regional Water Board. The NOI form is an attachment to the Order and it requires applicants to provide the following information:

- General Project description, including general description of the project activities, goals and objectives and any diagrams, drawings, plans, and/or maps as needed.
- Estimated Project Schedule including seasonal work period, estimated total number of work days.
- Identification of applicable pollutant discharge prevention and other environmental protection measures to be implemented during construction. Describe project design steps taken to first avoid, and then minimize, impacts to waters of the state to the maximum extent practicable.
- Details regarding whether the proposed project will require work in the wetted portion of the aquatic resource, and if so, the applicant must describe the work that will be required, the type of equipment to be used, whether dewatering will be required and method and design if required, and how long equipment will be in the wetted portion of the aquatic resource.
- Description of road and watercourse crossing construction or reconstruction activities, including:
 - Length of road to be reconstructed and/or disconnected from streams;
 - Number and details of watercourse crossings to be constructed or reconstructed; and
 - Dimensions of watercourse crossing construction or reconstruction footprint;

- Description of all applicable characteristics of stormproofed roads.
- Description of the nature of the permanent impacts from the project and the compensatory mitigation to offset those impacts to waters of the state.
- Description of other required permits or approvals from other agencies.

Monitoring and Reporting

Project proponents must conduct post-completion on-site evaluations to ensure BMPs and compensatory mitigation were implemented as designed and are functioning properly and self-sustaining, or whether additional work is needed. The duration of the monitoring requirement shall generally be two years for most watercourse crossing and road projects. For certain projects that include compensatory mitigation, and that Regional Water Board staff determine to be uniquely complex so as to warrant a longer period of monitoring to ensure project objectives have been met, post project monitoring for up to five years may be required.

Beginning the first year of project activities, project proponents must inspect the entire project area according to the following schedule:

- i. By November 15 to ensure that project has been implemented as designed and that project areas are secure for the winter period (November 15 through April 1);
- ii. Between April 1 and June 15 to assess how the project area has performed during the winter period and to identify whether any problems have developed that require additional work.

For each required inspection, Dischargers must evaluate the project area to ensure that all management measures described in the approved application package have been implemented as designed and are functioning properly. Any evidence of active or potential erosion or sediment discharge should be identified and measures to prevent or minimize sediment discharge implemented as soon as feasible.

Project proponents must document the results of each required inspection by including all applicable from the Monitoring Inspection Form in Attachment D of the Order. Reports must contain sufficient information that Regional Water Board staff can clearly understand site conditions following completion of work and throughout the monitoring period, including key results, findings, problems encountered, and corrective actions taken.

Potential Impacts to Beneficial Uses of Water and Other Environmental Resources from adoption of the Order and implementation of required BMPs.

This initial study evaluates all environmental impacts resulting from adoption of the Order and implementation of BMPs required by the Order. The standard of mitigating impacts to a level “less than significant” is the CEQA standard that determines whether the project warrants a Mitigated Negative Declaration or an Environmental Impact Report.

Under CEQA, the impacts of a proposed project must be evaluated by comparing expected environmental conditions after project implementation to conditions at a point in time referred to as the baseline. The changes in environmental conditions between those two scenarios represent the environmental impacts of the proposed project. The description of the environmental conditions in the project study area under baseline conditions is referred to as the environmental setting.

For the purposes of analyzing the potential environmental impacts resulting from adoption of the Order, baseline is considered to be the existing conditions at the project site without implementation of BMPs and compliance with the requirements included in the Order. Numerous rural road projects such as those that would be covered under the Order are conducted every year by private landowners and others throughout the North Coast Region, regardless of Regional Water Board regulations or policies. While the regulations and procedures for approving rural road projects are different in each county in the region, some of which may include requirements generally equivalent to BMPs required by the Order, such projects are commonly conducted for a variety of reasons. These may include considerations of environmental protection on an individual property or as part of larger watershed restoration efforts, maintenance, repair or upgrading of worn, failing inadequate infrastructure, new development or expanded access, in response to an enforcement action or fulfillment of other regulatory requirement. The Order sets forth programmatic requirements to address environmental impacts within the Regional Water Board’s purview. The CEQA analysis for the Order considers the reasonably foreseeable impacts that will result from implementation of Order requirements. Individual projects that could have environmental impacts outside the scope of the Order’s requirements may still be subject to a project level CEQA analysis as required by the appropriate lead agency at the time of project approval. None of the requirements contained within this Order supersede any mitigation measures or other project requirements that the approving local agency deems appropriate after conducting its own CEQA analysis. Adoption of the Order and establishing requirements that BMPs be incorporated into project design and implemented on the ground will largely result in increased environmental protection and positive impacts. However, there may be impacts to some environmental factors resulting from incorporating required BMPs into projects.

BMPs from the PWA Handbook and other references include mitigation measures to protect the environment during construction and post construction stabilization, essentially “mitigating the mitigations.” Attachment A of the Order presents a list of standard mitigation measures to prevent or minimize impacts to water quality as well as specific other environmental factors analyzed in the checklist beginning on page 12.

Implementation of BMPs required by the Order on rural road projects have the potential to result in some short-term impacts to stream and riparian area as well as other environmental resources. However, the anticipated outcome of much of this work is either a long-term environmental benefit, as in the case of road and watercourse crossing improvement projects, or otherwise the implementation of protective BMP standards for new road and watercourse construction projects. In addition, short-term impacts can be minimized by implementation of appropriate management practices as described in the section below. Attachment A of the Order includes mitigation measures designed to prevent or minimize environmental impacts to a level that is less than significant. The Order requires project proponents to utilize and implement Standard BMPs for project activities contained in Attachment A when implementing remediation and restoration activities, which include but are not limited to:

- Temporal limitations on project activities, which include seasonal, restrictions;
- Limitation on earthmoving and construction equipment to minimize soil and compaction;
- Erosion control requirements to stabilize areas disturbed during project activities.
- Guidelines for minimizing impacts from channel excavation and stream bank stabilization;
- Limitations on work in streams and wet areas;
- Guidelines for temporary stream diversion and dewatering in flowing streams;
- Protection of sensitive species; and
- Protection of Cultural and Tribal Cultural Resources.

7. Surrounding land uses and setting:

The North Coast Region (Figure 1), which comprises all watersheds, including Lower Klamath Lake and Lost River Basins, draining into the Pacific Ocean from the California-Oregon state line on the north, and the boundary of the watershed of the Estero de San Antonio and Stemple Creek in Marin and Sonoma Counties to the south. The North Coast Region encompasses a total area of approximately 19,390 square miles, including 340 miles of scenic coastline and remote wilderness areas, as well as urbanized and agricultural areas, and contains over 6,000 miles of rural roads.

The North Coast Region is characterized by distinct temperature zones. Along the coast, the climate is moderate and foggy and the temperature variation is not great. For example, at Eureka, the seasonal variation in temperature has

North Coast Regional Water Quality Control Board Counties

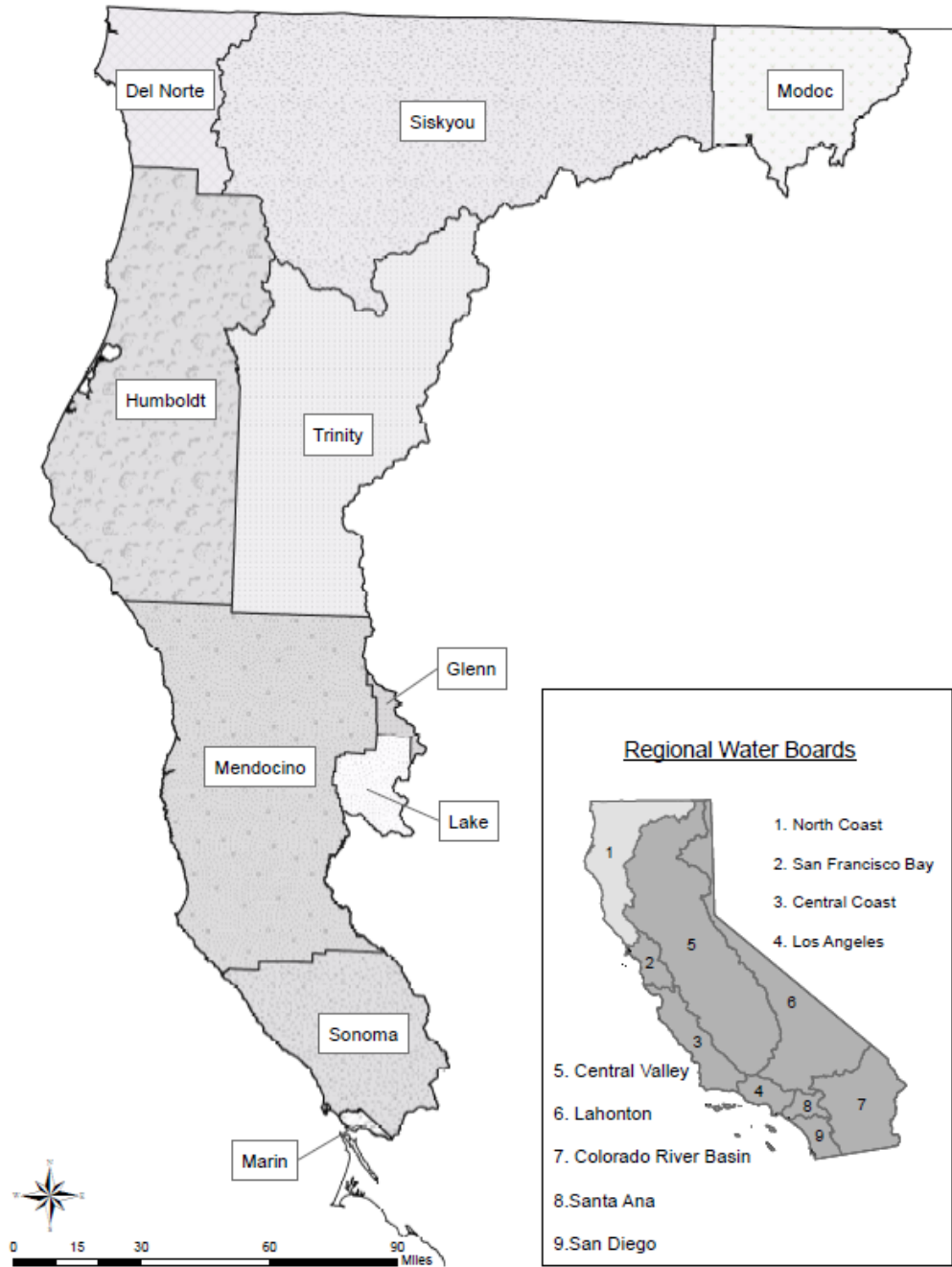


Figure 1. Area Map of North Coast Region

not exceeded 63°F for the period of record. Inland, however, seasonal temperature ranges in excess of 100°F have been recorded. Precipitation over the North Coast Region is greater than for any other part of California, and damaging floods are a fairly frequent hazard.

Ample precipitation in combination with the mild climate found over most of the North Coast Region has provided a wealth of fish, wildlife, and scenic resources. The mountainous nature of the Region, with its dense coniferous forests interspersed with grassy or chaparral covered slopes, provides shelter and food for deer, elk, bear, mountain lion, reports of sasquatch sightings, furbearers and many upland bird and mammal species. The numerous streams and rivers of the Region contain anadromous fish, and the reservoirs, although few in number, support both cold water and warm water fish.

Land use in the North Coast Region includes rangeland grazing, recreation, gravel mining, timber harvest, irrigated agriculture, open space, and urban uses.

8. **Other public agencies whose approval is required:**

This project does not preclude the need for persons/programs conducting road maintenance activities to obtain permits which may be required by other local, state and federal governmental agencies. The majority of projects that would be permitted under this Order would require initial approval/permitting by the appropriate agency in the County in which the project is located. Section 1602 of the California Fish and Game Code (CFGC) requires any person, state or local governmental agency, or public utility to notify California Department of Fish and Wildlife (CDFW) before beginning any activity that will substantially modify a river, stream or lake. State and local agencies with approval authority over rural road projects covered under the Order may need to prepare project specific CEQA documentation to address project design and associated impacts that are outside the scope of the Order.

The US Army Corps of Engineers (ACOE) may require a Clean Water Act Section 404 permit if projects are within jurisdictional waters of the United States.

9. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The Regional Water Board satisfied its obligation to address tribal cultural resources under the notification and consultation provisions of Public Resources Code – Assembly Bill 52 (Gatto). Tribes on the SWRCB Consultation List were contacted in October 2023. No tribes requested consultation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 12 for additional information.

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

DISCUSSION OF POTENTIAL EFFECTS OF PROPOSED PROJECT

CEQA requires a lead agency to prepare an Initial Study to determine whether a project may have a significant effect on the environment. (Cal. Code Regs., tit. 14, § 15063, subd.(a).) A "significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. (Cal. Code Regs., tit.14, § 15382.) If the Initial Study does not show that there is substantial evidence, in light of the whole record before the agency, that a project may have a significant effect on the environment, a Negative Declaration may be prepared. If the Initial Study identifies potentially significant effects, but identifies revisions or conditions to mitigate the effects to a point where clearly no significant effects would occur, a mitigated negative declaration may be prepared. (Cal. Code Regs., tit.14, § 15070.)

CEQA ENVIRONMENTAL CHECKLIST

I. AESTHETICS: Would the project:

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

- a) Have a substantial adverse effect on a scenic vista
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

a) It is not anticipated that adoption of the Order and implementation of BMPs would result in a substantial adverse effect on a scenic vista. New roads and watercourse crossings would generally be constructed in rural areas already utilized for residential and agricultural uses such as timber harvesting, farming and ranching. Implementation of BMPs for water quality protection have the potential to improve aesthetics by retaining riparian vegetation to the extent feasible and requiring replanting of vegetation on bare soils disturbed by project activities. Therefore, the appropriate finding is **Less than Significant Impact**.

b) It is not anticipated that adoption of the Order and implementation of BMPs would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Permit compliance and pollution prevention actions associated with the GWDR will not directly affect State scenic highways as the permit is generally intended to be used primarily by private landowners; BMPs required by the Order includes considerations for minimizing disturbance of riparian areas and maintaining shade. Shade trees along streams and rivers are to be maintained unless they are determined to be a hazard. However, these actions would typically be few and usually small in scale. Impacts from removal of a few trees would be minor. There may be an improvement in aesthetics as a result of better road right-of-way maintenance and fewer erosional gullies. Many roads in the North Coast region have existed for generations, some for over a century, are still in use, and have become part of the fabric of the landscape of the North Coast Region and in most cases, are the sole means used by the people of the state to enjoy the state's aesthetic resources. Therefore, the proposed project would not result in significant impacts to scenic resources. Therefore, the appropriate finding is **Less than Significant Impact**.

c) It is not anticipated that adoption of the Order and implementation of BMPs would substantially degrade the existing visual character or quality of the site and

its surroundings. New roads and watercourse crossings would generally be constructed in rural areas already utilized for residential and agricultural uses such as timber harvesting, farming and ranching. Implementation of BMPs for water quality protection have the potential to improve aesthetics by retaining riparian vegetation to the extent feasible and requiring replanting of vegetation on bare soils disturbed by project activities. In fact, roads are the primary means used to access scenic areas. Therefore, the appropriate finding is **Less than Significant Impact**.

d) Adoption of the Order and implementation of BMPs would not create a new source of substantial light or glare, which would adversely affect day or nighttime views. Therefore, the appropriate finding is **No Impact**.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection (CAL FIRE) regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

a) Adoption of the Order and implementation of required BMPs will not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use. Therefore, the appropriate finding is **No Impact**.

b) Adoption of the Order and implementation of required BMPs will not affect existing agricultural zoning or any aspect of a Williamson Act contract. Therefore, the appropriate finding is **No Impact**.

c) Adoption of the Order and implementation of required BMPs will have no impact nor conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526). Therefore, the appropriate finding is **No Impact**.

d) Adoption of the Order and implementation of required BMPs would not result in a substantial loss of forest land from adoption of the Order and implementation of its requirements. Shade trees along streams and rivers are to be maintained unless they are determined to be a hazard. However, these actions would typically be few and usually small in scale. Some reconstruction or construction work would require removal of specific trees in order to facilitate adequately sized crossing structure but these activities are limited to the foots print of the project. Therefore, the appropriate finding is **No Impact**.

e) The project would not result in conversion of Farmland to non-agricultural use. Therefore, the appropriate finding is **No Impact**.

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

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Background:

Air quality districts within the North Coast Regional Water Quality Control Board region include in Bay Area Air Quality Management District, Northern Sonoma County Air Pollution Control District, Mendocino County Air Quality Management District, North Coast Unified Air Quality Management District in Humboldt/Del Norte/Trinity Counties, Siskiyou County Air Pollution Control District, and Modoc County Air Pollution Control District. The Order requires compliance with all local, state, and federal regulations, including the Clean Air Act and applicable state air quality standards. Specific BMPs for all projects regulated under the Order are designed to prevent and minimize impacts to water quality. The USEPA sets limits on maximum atmospheric concentration for each acute and chronic toxic air contaminant pollution source. The State of California is required to use these limits but may also set higher standards when the California Air Resources Board determines that tighter limits would protect human health. This Order, and the projects enrolled under its regulatory program, will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur

because implementation projects under this Order will not create any conditions that would result in a significant source of air pollution.

a) A project would conflict with or obstruct implementation of the regional air quality plans if it would be inconsistent with the growth assumptions, in terms of population, employment or regional growth in vehicle miles traveled. The growth assumptions used for the regional air quality plans are based upon the growth assumptions provided in local general plans. Adoption of the Order and implementation of required BMPs would have a less than significant impact on any of the growth assumptions made in the preparation of the clean air plans, and would not obstruct implementation of any of the proposed control measures contained in these plans. Therefore, the appropriate finding is **No Impact**.

b) Adoption of the Order and implementation of required BMPs will not 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 that exceed quantitative thresholds for ozone precursors). Such an impact will not occur because the project involves no ongoing sources of air pollution. Therefore, the appropriate finding is **No Impact**.

c) In accordance with CEQA Guidelines for any project that does not individually have significant operational air quality impacts, the determination of significant cumulative impact is based on an evaluation of the project's consistency with the local general plan. The local general plan must also be consistent with the regional air quality plan. The project would not result in, nor authorize, new land uses, and would therefore be consistent with the regional air quality plans. Therefore, Adoption of the Order and implementation of required BMPs would not result in a cumulatively considerable net increase of any criteria pollutant and therefore, would result in a less than significant impact. Therefore, the appropriate finding is **Less than Significant Impact**.

d) The project will not expose sensitive receptors to substantial pollutant concentrations. Such an impact will not occur because Adoption of the Order and implementation of required BMPs will not significantly increase pollutant concentrations. Therefore, the appropriate finding is **No Impact**.

e) Adoption of the Order and implementation of required BMPs will not create objectionable odors affecting a substantial number of people. Project actions are designed to protect water quality and restore natural habitat conditions for aquatic organisms and will not create any stagnant water that might produce objectionable odors. Therefore, the appropriate finding is **No Impact**.

IV. BIOLOGICAL RESOURCES: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <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"/> |

Background

The primary purpose for adoption of the Order and implementation of its required BMPs is to reduce impacts from road use, construction, reconstruction and decommissioning on beneficial uses of water, including those supporting aquatic species. The geographic scope of the activities covered under the Order will include areas that contain listed threatened or endangered salmonid species. Adoption of the Order and implementation of required BMPs are considered some of the most important actions that can be done to prevent habitat degradation for aquatic habitat and contribute towards recovery of anadromous salmonids and other aquatic species. Watersheds throughout the region support a wide diversity of plant and animal species, including a high number of special status species and sensitive natural communities. These communities include mixed evergreen forests, oak woodlands and savanna, native and nonnative grasslands, chaparral, and riparian scrub and woodland. Some watersheds provide habitat for several aquatic species of concern, including steelhead trout (*Oncorhynchus mykiss*), Chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*Oncorhynchus kisutch*) and California freshwater shrimp (*Syncaris pacifica*). However, BMPs required under the Order are designed to minimize impacts of roads and watercourse crossings to aquatic resources. As stated above, implementation of some water quality protection BMPs have the potential to impact riparian or aquatic dependent species. The PWA Handbook includes mitigation measures that will be implemented to avoid short-term impacts to biological resources and are enforceable provisions of the Order. In addition to those mitigation measures contained in the PWA Handbook, Attachment A of the Order provides specific management measure designed to reduce any impacts to aquatic/riparian resources from implementation of BMPs required under the Order to less than significant. As a result, mitigation measures will ensure that any potentially significant impacts are avoided or mitigated to below a level of significance. It is not anticipated that there will be significant impacts to terrestrial species. As such, this Initial Study includes measures to mitigate impacts to biological resources from implementation of BMPs for water quality protection required by the Order.

a) The Order is designed to benefit, enhance, restore and protect biological resources, including fish, wildlife, and rare and endangered species. Adoption of the Order and implementation of required BMPs will not result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW), National Oceanic and Atmospheric Administration (NOAA) or U.S. Fish and Wildlife Service (USFWS). Such an impact will not occur because the Order requires implementation of BMPs designed to improve and restore stream habitat, to provide a long-term benefit to both anadromous salmonids and other fish and wildlife. The project will be implemented in a manner that will avoid short-term adverse impacts to rare plants and animals and other important biological resources during construction; the mitigation measures that will be implemented to avoid short-term impacts to biological resources are described in Attachment A. As a result, mitigation measures will ensure that any potentially

significant impacts are avoided or mitigated to below a level of significance. Therefore, the appropriate finding is **Less than significant with mitigation**.

b) The Order specifically requires that project activities incorporate measures to avoid, minimize, or mitigate impacts to streams, wetlands and riparian areas. Project activities that entail use of heavy equipment or excavation shall not occur between November 15 and April 1 or when saturated soil conditions are present in the project area. Prior to November 15 of each year that project activities occur, project areas must be fully stabilized such to withstand anticipated winter weather conditions. Between November 15 and April 1, limited heavy equipment use or excavation may occur during extended dry periods with written approval from Regional Water Board staff. Therefore, the appropriate finding is **Less than significant with mitigation**.

c) The Order would require that disturbance to wetlands, streams and riparian area should be avoided or minimized to the greatest extent practicable. If it is determined that a wetland will be temporarily or permanently impacted by the proposed project, the Order requires that mitigation will need to be conducted to establish, restore, enhance or preserve the functions and values of wetlands and associated beneficial uses. Any unavoidable impacts to waters must be restored and/or compensated for to ensure compliance with (No Net Loss Policy EO W-59-93, Antidegradation Policy SWRCB resolution No. 68-16 and dredge and fill Procedures CCR, title 23, section 3013).

Temporary impacts to beneficial uses and ecological functions that can be completely restored after the project must include a restoration plan describing the complete restoration of those functions including success criteria and applicable monitoring. Temporary impact examples may include but not be limited to temporary dewatering, temporary fill or excavation and vegetation removal.

Permanent impacts to beneficial uses and ecological functions that include a complete loss of area or degradation of these uses or functions will require submittal and approval of a mitigation plan to offset or compensate for these losses. Permanent impact examples may include but not be limited to new culverts or bridges or extensions of existing structures, new bank stabilization/hardening, channel hardening.

The Order is designed to ensure implementation of BMPs to protect or restore beneficial uses listed in the Basin Plan associated with wetlands and related riparian area, such as:

Flood Peak Attenuation/Flood Water Storage (FLD) Uses of riparian wetlands in flood plain areas and other wetlands that receive natural surface drainage and buffer its passage to receiving waters.

Wetland Habitat (WET) Uses of water that support natural and man-made wetland ecosystems, including, but not limited to, preservation or enhancement of unique wetland functions, vegetation, fish, shellfish, invertebrates, insects, and wildlife habitat.

Therefore, the appropriate finding is **Less than significant with mitigation.**

d) The project will not substantially interfere 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. The Order requires that projects incorporate design elements aimed at minimal impact on habitat while improving “ecological connectivity” for salmonid and other native fish, amphibians, reptiles, macroinvertebrates, insects, and other organisms that make up the aquatic food web. It is anticipated that the Order will result in projects that will enhance the movement of anadromous fish by the replacement or removal of culverts and bridges that are barriers to fish migration. Therefore, the appropriate finding is **Less than significant.**

e) Adoption of the Order and implementation of required BMPs will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Such an impact will not occur because project actions are designed to restore and enhance biological resources. Some minor disturbance of grasses and shrubs will occur where stream structures are keyed into the stream banks. Care will be taken not to disturb any mature trees. Riparian vegetation will be reestablished where construction activities disturb existing plants, and additional native plants will be planted to enhance the riparian vegetation. Therefore, the appropriate finding is **No impact.**

f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Such a conflict will not occur because the project restoration actions will not have a significant adverse impact on any species or habitat. Project actions are designed to restore the natural character of the fish and wildlife habitat at the project work sites. The project specifically supports beneficial uses listed in the Basin Plan associated with aquatic species, such as the following:

Warm Freshwater Habitat (WARM) Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Cold Freshwater Habitat (COLD) Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Inland Saline Water Habitat (SAL) Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates.

Estuarine Habitat (EST) Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds).

Wildlife Habitat (WILD) Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

Rare, Threatened, or Endangered Species (RARE) Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened or endangered.

Migration of Aquatic Organisms (MIGR) Uses of water that support habitats necessary for migration or other temporary activities by aquatic organisms, such as anadromous fish.

Spawning, Reproduction, and/or Early Development (SPWN) Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.

The Rural Roads General Order is in large part designed to prevent impacts to beneficial uses of water and improve habitat and fish passage for endangered salmonid species. Biological resources will benefit from adoption and implementation of the requirements of the Order, through reducing impacts to riparian areas, wetlands, and other natural communities from road construction, reconstruction, and use; and improvements in fish passage by improving watercourse crossing design. By following the proper construction methods, and implementing the BMPs, biological resources will benefit through avoidance of habitat reduction, fish passage will improve, and pollutant discharges will be reduced. Therefore, the appropriate finding is **No Impact**.

V. CULTURAL RESOURCES: Would the project:

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

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

a – d) Some amount of additional ground-disturbance will result from implementation of BMPs required by the Order at certain locations that have the potential to affect cultural resources. In the event that cultural resources are identified during project activities, potential for inadvertent impacts will be avoided through implementation of the following mitigation measures, which are described in Attachment A of, and are enforceable provision of, the Order:

- In the event that cultural resources are discovered during project activities, the project proponent shall contract with an archaeologist(s) or other historic preservation professional that meets the Secretary of the Interior’s Professional Qualifications Standards (36 CFR Part 61, and 48 FR 44716) to complete cultural resource surveys at any sites with the potential to be impacted prior to any ground disturbing activities. This work may be augmented with the aid of a Native American cultural resources specialist that is culturally affiliated with the project area. Cultural and paleontological resource surveys shall be conducted using standard protocols to meet CEQA Guideline requirements.
- If cultural and/or paleontological resource sites are identified at a project location during project activities, one or more of the following protective measures shall be implemented before work can proceed: a) fencing to prevent accidental disturbance of cultural resources during construction, b) on-site monitoring by cultural and/or paleontological resource professionals during construction to assure that cultural resources are not disturbed, c) redesign of proposed work to avoid disturbance of cultural resources.
- The project proponent shall report any previously unknown historic, archeological, and paleontological remains discovered at a project location to the Regional Water Board.

- Upon the discovery of any human remains at a permitted property, the Permittee shall immediately comply with Health and Safety Code section 7050.5 and, if applicable, PRC section 5097.98. The following actions shall be taken immediately upon the discovery of human remains.
- All activities in the immediate vicinity of the discovery shall stop immediately. The Permittee shall immediately notify the county coroner. Ground disturbing activities shall not resume until the requirements of California Health and Safety Code section 7050.5 and, if applicable, PRC section 5097.98, have been met. The Permittee shall ensure that the human remains are treated with appropriate dignity.

No substantial adverse change should occur to the number or location of historical, archaeological, or geologic resources. Many roads in our region have existed for generations, some for over a century, are still in use, and have become part of the fabric of the landscape of the North Coast Region. Reconstruction of existing roads and watercourse crossings to upgrade them to current more environmentally protective standards will generally not result in expanded areas of disturbance. Additionally, the adoption and implementation of this project does not change the regulatory requirements, statutory authorities, or enforcement abilities of any other agency or local ordinances, which may have jurisdiction over cultural resources. Therefore, the appropriate finding is that adoption of the Order and implementation of BMPs for water quality protection during construction, reconstruction and decommissioning of rural roads and watercourse crossings will have **less than significant impact with mitigation** on cultural resources.

VI. GEOLOGY AND SOILS: Would the project:

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

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input 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"/> |
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a i-iv) Adoption of the Order and implementation of required BMP will not expose people or structures to potential substantial adverse effects. Many of the roads within the North Coast Region have existed for generations, some for over a century. Strong seismic shaking, ground failure (including liquefaction), and landslides are large-scale dynamic Earth processes that are not significantly impacted by the surficial nature of BMPs required under the Order. Adoption of the Order and implementation of required BMPs will not expose people or structures to potential substantial adverse effects, including the risk of loss,

injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, or seismic related ground failure, including liquefaction. Additionally, adoption of the Order and implementation of BMPs will not expose people or structures to potential substantial adverse effects involving landslides, because there are no structures located in areas that can be affected by the project. Therefore, the appropriate finding is **no impact**.

b – c) The geographic scope of the activities covered under the Order will include areas that are highly susceptible to soil erosion and shallow landslides due to the presence of steep slopes, high rainfall rates, and/or underlying geology. When roads are hydrologically connected the concentrated flow of water can generate sediment if it crosses on unprotected soils, develops gullies, or cuts into stream banks. It can also trigger landslides from oversaturated conditions, especially on fill-slopes. In addition, roads constructed with uncompacted or poorly compacted fill material, particularly on steep slopes, are vulnerable to failure of the fill, often trigger larger landslides. BMPs required by the Order or designed specifically to reduce erosion and landslide potential.

While implementation of BMP to ensure proper road drainage and surface stability reduces soil erosion and can reduce or prevent large-scale slope and fill failures, some projects to implement proper road drainage have the potential to generate sediment from short-term construction activities. Disconnecting roads from streams involves limiting the concentration of surface discharge and using permeable soils on the natural ground and road fill-slopes to infiltrate runoff and convert it to subsurface flow before it can reach a stream. Remedial measures to correct existing and potential road erosion include (but are not limited to): replacing undersized culverts, creating critical dips at stream crossings, outsloping the road surface, adding more ditch relief culverts to in-sloped roads, rocking or paving the road surface, reconnecting the road drainage as much as possible to the natural drainage patterns, revegetating cutbanks and fill-slopes, and repairing 'shotgun' culverts.

In order to mitigate the potential adverse impacts from projects to implement BMPs, the PWA Handbook contains specific BMPs that are designed to prevent or minimize sediment erosion or loss of topsoil. Mitigation measures for erosion control, timing of project implementation, limitations on construction equipment and earthmoving are also described in Attachment A of the Order and are enforceable under the Order.

As a result of the incorporation of the BMPs and mitigation measures outlined above, the potential for the Project to result in increased soil erosion, loss of topsoil, or landslides is less than significant. Nor is there any reasonably foreseeable potential for the Project to result in lateral spreading, subsidence, liquefaction, or collapse. Therefore, the appropriate finding is **less than significant with mitigation**.

d – e) The Order covers neither activities such as building construction that is subject to the Uniform Building Code, nor activities involving the use of septic tanks or alternative wastewater disposal systems. Because the project does not involve these elements the appropriate finding is **no impact**.

VII. GREENHOUSE GAS EMISSIONS: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a-b) Road and construction equipment produces CO₂, which is a greenhouse gas. However, adoption of the Order and implementation of BMP may result in some increased emission of greenhouse gases (GHG) through the increased use of fuel to operate vehicles and heavy equipment, the additional use of fuel used to implement BMP is anticipated not to be significant. Therefore, the appropriate finding is **less than significant impact**.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

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?

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?

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?

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

a – d) Rural road and watercourse construction, reconstruction and decommissioning can involve the transport and use of materials that would qualify as hazardous pursuant to the California Health and Safety Code section 25501(o). These materials include gasoline and diesel to fuel equipment, hydraulic fluid associated with equipment operations and machinery, and potentially asphalt and oils for road surfacing, and surface stabilizers (e.g., lignin) for running surfaces on unimproved roads.

While adoption of the Order and implementation of required BMP is unlikely to require use of greater quantities or additional hazardous materials, use of them in rural settings, often in close proximity to waters of the state, and introduction to them by spills or other means could result in serious impacts to water quality, Attachment A of the Order describes the following mitigation measures to ensure that chemical contamination (e.g., fuel, grease, oil, hydraulic fluid, solvents, etc.) of water and soils is prohibited during routine equipment operation and maintenance:

- Dischargers must ensure that chemical contamination (e.g., fuel, grease, oil, hydraulic fluid, solvents, etc.) of water and soils is prohibited during routine equipment operation and maintenance.
- Heavy equipment will not be used in flowing water.
- When possible, existing ingress or egress points will be used or work will be performed from the top of the creek banks.
- Use of heavy equipment will be avoided in a channel bottom with rocky or cobbled substrate.
- If access to the work site requires heavy equipment to travel on a rocky or cobbled substrate, a rubber tire loader/backhoe is the preferred vehicle.
- The amount of time this equipment is stationed, working, or traveling within the creek bed will be minimized.
- Minimize soil compaction by using equipment with a greater reach or that exerts less pressure per square inch on the ground, resulting in less overall area disturbed or less compaction of disturbed areas.
- When heavy equipment is used, any woody debris and stream bank or streambed vegetation disturbed will be replaced to a pre-project density with native species appropriate to the site.
- The use or storage of petroleum-powered equipment will be accomplished in a manner that prevents the potential release of petroleum materials into waters of the state (Fish and Game Code 5650). To accomplish this, the following precautionary measures shall be followed:
 - Schedule excavation and grading activities for dry weather periods.
 - Designate a contained area for equipment storage, short-term maintenance, and refueling. Ensure it is located at least 50 feet from waterbodies.
 - Inspect vehicles for leaks and repair immediately.
 - Clean up leaks, drips and other spills immediately to avoid soil or groundwater contamination.
 - Conduct major vehicle maintenance and washing off site.
 - Ensure that all spent fluids including motor oil, radiator coolant, or other fluids and used vehicle batteries are collected, stored, and recycled as hazardous waste off site.

- Ensure that all construction debris is taken to appropriate landfills and all sediment disposed of in upland areas or off-site, beyond the 100-year floodplain.
- Use dry cleanup methods (i.e., absorbent materials, cat litter, and/or rags) whenever possible. If necessary for dust control, use only a minimal amount of water.
- Sweep up spilled dry materials immediately.

It is anticipated that the BMPs and mitigation measures included as enforceable provisions of the Order will prevent significant impact from hazards and hazardous materials, and therefore, the appropriate finding is **less than significant with mitigation**.

e - h) Rural road projects could potentially result in the emission or handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, or located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. However, adoption of the Order and implementation of required BMPs would have no effect on site locations or proximity to the facilities described above. Nor would it result in a change over current conditions related to activities near an airport or airstrip that would result in a safety hazard, nor interfere with an emergency evacuation or response plan. Lastly, adoption of the Order and implementation of required BMPs would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Therefore, the appropriate finding is **no impact**.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 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?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned storm-water drainage systems or provide substantial additional sources of polluted runoff?
- f) Otherwise substantially degrade water quality?
- 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?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

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?

j) Inundation by seiche, tsunami, or mudflow

a) The primary purpose for adoption of the Order, which are Waste Discharge Requirements, and implementation of required BMPs, is to ensure that rural road projects in the North Coast Region meet water quality standards. This is accomplished by establishing requirements that projects incorporate all road and watercourse crossing BMPs from the PWA Handbook or other equivalent guidance documents applicable to site specific conditions. It is anticipated that the project will result in enhanced water quality for road and watercourse reconstruction activities, and requires specific BMP standards for new construction to protect water quality. Implementation of many BMPs from the PWA Handbook (e.g., road out sloping, installation of rolling or critical dips, increased frequency of ditch relief culverts, erosion control measures for maintenance activities that may disturb soil, installation of sediment traps at culverts, proper storage of spoils and materials stockpiles) will reduce the amount of sediment delivery to streams from rural roads and watercourse crossing. However, even as BMP implementation will be done to correct existing and potential road erosion, they can potentially contaminate streams with sediment, chemicals or other unnatural materials without proper management measures. As discussed in previous sections of this initial study, enforceable management measures intended to prevent or minimize impacts resulting from implementation of BMPs required are described in Attachment A of the Order. Therefore, the appropriate finding is **less than significant impact with mitigation.**

b) Water is often used during rural road and watercourse crossing projects to control dust or sprayed onto introduced fill material to enhance compaction. Water used would likely be delivered to project sites by a water truck or mobile tank or potentially withdrawn from a groundwater well. Any water use from these projects would be of limited volume and duration, not ongoing withdraws. However, such water use would likely not be changed by adoption of the Order and implementation of required BMPs. Therefore, the appropriate finding is **no impact.**

c-f) One of the primary purposes of BMPs required by the Order is to ensure drainage patters *do not* result in substantial erosion or siltation. BMPs often require alteration of existing drainage patters or the course of a stream or river, but such alterations are specifically designed to improve or restore impaired conditions to reduce the potential for excess erosion or siltation. A primary objective of BMPs from the PWA Handbook is manage runoff, so that concentration of runoff is minimized and is discharged off of roads in such as

manner as to avoid flooding, increased erosion, sediment discharge or other pollutants, or exceed the capacity of existing or planned storm-water drainage systems, and not likely result in improvements to water quality. Therefore the appropriate findings are **less than significant impact with mitigation**.

g-j) Adoption of the Order and implementation of BMPs would not involve housing. The BMPs include sizing new or replacement culverts to accommodate 100-year flood flows, therefore, watercourse crossing structures would potentially be subject to 100-year flow flows but would be designed such that they would be expected to route flows through the crossing, impede or restrict flows. The project does not involve new housing. BMPs for stream crossing sizing combined with those designed to disperse runoff will reduce peak flow concentrations, potentially reducing flooding and associated damage. BMPs are not anticipated to expose people or structures to a significant risk of loss, injury or death involving flooding, inundation by seiche, tsunami, or mudflow. The project does not involve dams and levees or be anticipated to interact or affect them. Therefore, the appropriate finding is **no impact**.

X. LAND USE AND PLANNING: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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"/> |

a – c) Adoption of the Order and implementation or required BMPs will not cause any conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over rural road activities. The proposed project does not divide an established community or involve land use planning or policy, nor the does it alter or weaken the requirements of any habitat conservation plan or natural community conservation plan that may apply to agricultural activities. This project does not preclude the need for counties and other dischargers conducting road

maintenance activities to obtain permits which may be required by other local, state and federal governmental agencies. Because the project does not involve these elements, the appropriate finding is **no impact**.

XI. MINERAL RESOURCES: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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"/> |
| 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"/> |

a – b) Adoption of the Order and implementation of required BMPs does not involve mineral resources; therefore, the appropriate finding is **no impact**.

XII. NOISE: Would the project result in:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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?

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?

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?

a – f) Adoption of the Order and implementation of BMPs does not change the exposure of people to potential adverse effects involving noise due to rural road projects covered over current baseline conditions. Noise levels due to these activities in the project area will remain the same whether or not the Order is adopted and required BMP are implemented. Because no change is foreseeable, the appropriate finding is **no impact**.

XIII. POPULATION AND HOUSING: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a - c) The proposed project does not involve construction of new homes or businesses. The project would also not displace people or existing housing. Because the proposed project does not involve these elements, the appropriate finding is **no impact**.

XIV. PUBLIC SERVICES: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--|--|--|---|
| a) 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <ul style="list-style-type: none"> • Fire protection? • Police protection? • Schools? • Parks? • Other public facilities? | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> |

Adoption of the Order and implementation of required BMPs does not involve new or physically altered government facilities. Because the proposed project does not involve these elements, the appropriate finding is **no impact**.

XV. RECREATION:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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?

a – b) Rural road projects may involve work on state park road or trail facilities. As discussed above, the California State Park has developed guidance documents for projects on roads, trails and watercourse crossings. Road, trail and watercourse crossing projects that implement applicable BMPs from these guidance documents, are considered to result in long term protection of water quality and meet the objectives of ecological enhancement. Projects would be intended to upgrade existing State Park roads and trails with the multiple objectives of upgrading them to be more environmentally protective as well as to upgrade deteriorating infrastructure. No element of the proposed project would increase use of existing facilities. There may be State Park projects that would require construction or expansion of recreational facilities such as roads and trails, but adoption of the Order and implementation of required BMPs would only result in improved environmental protection. Therefore, the appropriate finding is **no impact**.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the 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?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

a-b. Adoption of the Order and implementation of required BMPs would not cause an increase in traffic or exceed a level of service due to rural road activities over current baseline conditions. Upgrading existing roads by implementation of BMPs designed to protect and improve water quality will not affect traffic levels. By definition, new road construction will provide new vehicle routes and therefore, the likely of increased traffic. However, any change in traffic levels would be unrelated to BMPs required by the Order. Adoption of this Order will not result in a material change in the scope or pace of maintenance activities. New road construction is not covered by this Order, so it largely encompasses routine maintenance of existing facilities. Because no change is foreseeable, the appropriate finding is **no impact**.

c –f) Adoption of the Order and implementation of required BMPs does not involve air traffic, installation of hazardous design features, and will not affect emergency access or parking capacity. The proposed project will not conflict with policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Because the proposed project does not involve these elements, the appropriate finding is **no impact**.

XVII. TRIBAL CULTURAL RESOURCES

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

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a.i-ii. Both prior to receiving coverage under the Order and during implementation of rural road projects that result in ground disturbance, permittees must comply with mitigation measures described below and included as Attachment C of the Order to identify and protect tribal cultural resources that may be present within a project area:

Procedures for Discovery During Significant Ground Disturbing Project Activities:

If any suspected archaeological materials or indicators¹ are uncovered or discovered during significant ground disturbing project activities that are regulated under this Rural Roads General Order, then those significant ground disturbing activities shall immediately cease within 50 feet of the find (100-foot diameter circle). Examples of significant ground disturbing activities may include: new deep ripping, trenching, excavation, road construction, reconstruction, or decommissioning. As soon as practicable following discovery, the Permittee shall consult a Professional Archaeologist to document and assess if the find is a historical resource pursuant to PRC section 5024.1(c) or a unique archaeological resource pursuant to PRC section 21083.2(g).

If the Professional Archaeologist determines that the find **is not** a Native American archaeological site, then the Permittee may continue operations at that site in compliance with all applicable laws and regulations related to archaeological discoveries as advised in writing by the Professional Archaeologist and approved by the Regional Water Board.

If the Professional Archaeologist determines that the find **is** a Native American archaeological site, then the Permittee or their designated Professional Archaeologist shall notify the Native American Heritage Commission within seven days of the discovery and request a list of any California Native American tribes that are potentially culturally affiliated with the discovery. The Permittee or their designated Professional Archaeologist shall notify any potentially culturally affiliated California Native American tribes of the discovery within 48 hours of receiving the list from the Native American Heritage Commission. The Professional Archaeologist shall develop proposed mitigation measures, which may include those listed in Mitigation Measures to protect TCR Sites (Section 4 below) as necessary. The proposed mitigation measures shall be submitted to the culturally affiliated California Native American tribes. If the affiliated tribe has no comments on proposed mitigations measures within **14 days** of a request for comments, the Permittee shall implement the final mitigation measures recommended by their archaeologist. A copy of the proposed mitigation measures shall be submitted to the Regional Water Board and the affiliated tribe prior to implementation.

If the affiliated tribe submits comments within **14 days** of a request for comments, then the Permittee will carefully consider any comments and mitigation measure recommendations submitted by the tribe with the goal of conserving TCRs with appropriate dignity. The Permittee shall provide a copy of the final proposed mitigation measures to the culturally affiliated California Native American tribes identified by the Native American Heritage Commission and to the Regional Water Board Executive Officer. In the event that the tribe and the landowner cannot reach an agreement, the Regional Water Board Executive

¹ Archaeological materials or indicators may include but are not limited to: arrowheads and chipped stone tools; bedrock outcrops and boulders with mortar cups; ground stone implements (grinding slabs, mortars, and pestles) and locally darkened midden soils containing some of the previously listed items plus fragments of bone, fire affected stones, shellfish, or other dietary refuse.

Officer shall require mitigation measures such as from the list in Section 4 below. Upon tribe/landowner agreement or Executive Officer approval, project activities can resume within the affected zone.

Previously documented areas with archaeological material or indicators that have an archaeologist report with mitigation measures that continue to prevent significant impacts, are exempt from this section provided the Permittee avoids any significant adverse impacts to TCRs. If mitigation measures to protect the archaeological site are unclear or undocumented, then the Permittee must consult a Professional Archaeologist as described above. The Permittee must send a copy of the archaeology reports to the Regional Water Board and the affected tribe with a statement of protection measures for review of CEQA compliance.

Nothing in the Order should be construed as the Regional Water Board granting the authority to any third-party access to private land.

Mitigation Measures for Treatment of Human Remains:

Upon the discovery of any human remains at a permitted property, the Permittee shall immediately comply with Health and Safety Code section 7050.5 and, if applicable, PRC section 5097.98. The following actions shall be taken immediately upon the discovery of human remains:

All activities in the immediate vicinity of the discovery shall stop immediately. The Permittee shall immediately notify the county coroner. Ground disturbing activities shall not resume until the requirements of California Health and Safety Code section 7050.5 and, if applicable, PRC section 5097.98, have been met. The Permittee shall ensure that the human remains are treated with appropriate dignity.

Mitigation Measures to Minimize and Avoid Significant Adverse Impacts to TCR Sites:

Direct and indirect impacts to TCRs could occur from project operations. Direct impacts from to TCR sites may include significant ground disturbance activities especially around streams, and springs, stream crossings and steep banks. Direct impacts can also occur from project operations such as excavations for road prisms and watercourse crossings and grading roads that go through TCR sites. Indirect impacts can occur from disturbed access area or other areas within the project site where heavy equipment traverses.

The following are examples of mitigation measures that, if feasible for a given site, may be used to minimize and avoid significant adverse impacts to TCRs sites:

- A. Avoidance of the site;
- B. Confidentiality of the location of the site;
- C. Fence off or cap-in-place areas of very high sensitivity such as burial and cemetery sites;

- D. Identify equipment travel routes around sensitive TCR sites;
- E. Conduct frequent walk-throughs of the sensitive TCR sites to assess conditions;
- F. Restrict activities in TCR sites to seasonally dry times of the year;
- G. Restrict new impacts at highly disturbed areas;
- H. Provide workers training (develop brochures) about potential TCR resources in the area;
- I. Protect the cultural character and integrity of the resource; and
- J. Other effective mitigation measures that reduce impacts to TCR sites to a less than significant level.

Note that not all mitigation measures will apply to individual project sites. Appropriate selection of the mitigation measures above as tailored to a project's individual impacts will reduce impacts to a less than significant level.

Previously documented areas, with archaeological material or indicators that have an archaeologist report and are employing mitigations that continue to prevent significant impacts, are exempt from this section provided the Permittee continues to avoid any significant adverse impacts to TCR sites. If mitigation measures to protect the site are unclear or undocumented, then the Permittee must consult a Professional Archaeologist as described in Section 2 above.

The above are measures to identify any documented or on-site tribal cultural resources, and if found, work with local tribes to protect and preserve them. As such, the finding is that with implementation of these required mitigation measures, impacts will be **less than significant with mitigation**.

XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Require or result in the construction of new storm-water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |

a-c) Section II.h of the Order establishes the requirement that, "Dischargers shall comply with all applicable water quality standards, requirements, and prohibitions specified in the Basin Plan as modified, and policies adopted by the State Water Board," making compliance with Regional Water Board requirements of permit provision. In addition, adoption of the Order and implementation of BMPs are anticipated to have no change in input to, capacity, or need for additional wastewater treatment facilities. Implementation of specific required BMP typically will alter runoff patterns by reducing concentration and minimizing sediment mobilization and transport. It is unlikely that any runoff from project sites would discharge to wastewater treatment or stormwater drainage facilities. Therefore, the appropriate finding is **less than significant impact**.

d) Water is often used during rural road and watercourse crossing projects to control dust or sprayed onto introduced fill material to enhance compaction. Water used would likely be delivered to project sites by a water truck or mobile tank or potentially withdrawn from a groundwater well. Any water use from these projects would be of limited volume and duration, not ongoing withdraws or require new or expanded entitlements. In addition, such water use would likely not be changed by adoption of the Order and implementation of required BMPs. For these reasons, the appropriate finding is **no impact**.

e) As discussed above, it is not anticipated that rural road projects permitted under the Order will discharge to wastewater treatment facilities, either directly or indirectly. Therefore, the appropriate finding is **no impact**.

f-g) Rural road projects will comply with federal, state, and local statutes and regulations related to solid waste. Therefore the appropriate finding is **no impact**.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Adoption of the Order and implementation of required BMPs is specifically designed to reduce environmental impacts from roads and watercourse crossings. The Order is being developed by the Regional Water Board as a permit to ensure water quality protection from rural roads and is anticipated to

result in long term improvement to the beneficial uses of water in the North Coast Region.

As discussed in sections above, rural road projects have the potential to result in short term impacts to the quality of the environment, primarily during construction activities. In order to mitigate potential significant impacts, the Order contains conditions and requirements, and requires implementation of BMPs from the PWA Handbook or other equivalent guidance documents. Additionally, the Order requires monitoring and reporting of activities covered under this Order in order to document that all activities are performed in compliance with these mitigation measures.

a - b) The Regional Water Board determines that adoption of the Order and implementation of required BMPs on rural road projects will not adversely affect the quality or the beneficial uses of the waters of the State, and will be in the public interest pursuant to California Water Code (Water Code) section 13269. Rural roads have impacts that are individually limited, but cumulatively considerable. One of the primary tools available to regulators, land managers and landowners to address cumulative impacts from rural roads is to implement appropriate BMPs from the PWA Handbook and other equivalent guidance documents.

The PWA Handbook contains conditions and criteria designed to reduce cumulative adverse impacts from discharges associated with rural road project to less than significant levels. The Order will only apply to operations that meet all applicable eligibility criteria and that follow all applicable requirements. Activities conducted in compliance with the conditions contained in the Order will not contribute to cumulative impacts. Therefore, the appropriate finding is **less than significant with mitigation**.

c) It is unlikely that adoption of the Order and implementation of required BMPs could have environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly. Rural road projects impact human beings transportation activities, generally in a beneficial manner. Impacts from adoption of the Order and implementation of required BMPs will be limited to the environment and those impacts are primarily beneficial, particularly for the long-term health of North Coast watersheds. Any short-term adverse impacts resulting from implementation of BMPs will be mitigated to less than significant as described in above sections of this initial study.

The Regional Water Board determines that rural road projects conducted in compliance with the Order will not adversely affect the quality or the beneficial uses of the waters of the State and is in the public interest pursuant to Water Code section 13269. Therefore, the appropriate finding is **less than significant impact**.

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial study:

- 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.

November 30, 2024

Signature

Date

Attachments:

Draft Order R1-2024-0002 and attachments:

- A. General Mitigation Measures
- B. Notice of Intent
- C. Notice of Termination Form
- D. Monitoring Inspection Form
- E. Compensatory Mitigation Guidance
- F. Supplemental Order Findings

