Developing a Policy to Protect Wetlands and Riparian Areas **PHASE 1**

CEQA Scoping Meetings

Ben Livsey, Environmental Specialist San Francisco Bay Regional Water Quality Control Board Sacramento: August 18, 2008 Los Angeles: August 20, 2008

The California Environmental Quality Act (CEQA)

- Designed to minimize harmful impacts to the environment
- Applies to projects conducted, approved, or permitted by government agencies
- Ensures that government listens to the public
- Requires that government responds to public comments that raise significant environmental points

What Does CEQA require?

- > Identification of potentially significant environmental impacts
- > Evaluation of potential cumulative impacts
- Discussion of alternative implementation actions that could reduce impacts
- ➤ Mitigation measures to reduce impacts
- Consideration of alternatives to the project, including "no project"

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Steps in the Water Boards' CEQA Process

- Board holds "scoping" meeting and takes comments from the public about possible environmental effects
- Staff prepares Environmental Checklist
- Public reviews and comments on project documents
- Staff responds to comments
 - Board adopts the project at a public meeting, and

The CEQA Scoping Step

- > Scoping ensures Water Board considers public input into our water quality policies and projects.
- Some actions designed to improve one aspect of the environment may have adverse affects on other aspects of the environment.

Areas of Concern to CEQA

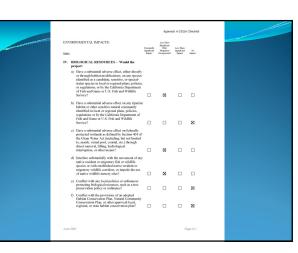
- Aesthetics
- Agricultural resources
- Air quality
- Biological resources
- Cultural resources
- Geology and soils
- Hazards and hazardous materials
- Hydrology and water
- Land use and planning
- Mineral resources
- Noise
- Population and housing
- Public services
- Recreation
- Transportation and traffic
- Utilities and service delivery systems
- Climate change

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The Environmental Checklist

- For a Policy project, the checklist frames the project and provides a structure for public input
- For each category, we evaluate the project's potential to result in:

 - Less than significant impacts with mitigation measures incorporated in the project



Effects to Consider Under CEQA

Do consider:

- Direct physical changes
- indirect effects of the project (e.g., growth-inducing or other effects related to land use changes)

Need not consider:

- Changes to the environment with effects already considered
- Changes that would occur regardless of the Policy
 Changes that are speculative

Policy Phase 1: Scoping Issues

- Wetland Definition
 - Statewide consistency
 - Protection for all waters of the State
- Protection of wetlands from dredge and fill activities
 - Land use changes
 - Construction activities associated with restoring and/or creating wetlands

Wetland Definition

- New statewide definition will extend to waters not protected by federal law, and not currently protected statewide
 - Isolated wetlands
 - Intermittent streams
 - Vernal pools
 - Seasonal wetlands
 - Wetlands modified by human activity

Actions to Protect Wetlands From Dredge and Fill Activities

- Changes in land use
- Construction activities associated with restoring and/or creating wetlands

Protection from Dredge and Fill: CEQA topic areas to consider may include...

- II. Agricultural resources
- III. Air quality
- IV. Biological resources
- V. Cultural resource
- VI. Geology and soils
- VII. Hazards and hazardous
- VIII. Hydrology and water quality
- IX. Land use and planning
- XI. Noise

Example: Less than Significant Impact with Mitigation Incorporated

VIII. Hydrology and Water Quality: Would the project:

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 onor off-site?

Issue: Wetland restoration construction activities could result in short-term erosion and downstream

Mitigation: On-site erosion control management measures

We Need Your Ideas and Input

- > Please give us your comments on:
 - Possible impacts of Policy implementation
 - Mitigation measures you can suggest
 - Possible cumulative impacts (with other projects in the area)
- Identify issues that you think should be included in the environmental evaluation

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We Invite Your Comments!

- To ensure that scoping comments are considered, they must be received at the Water Board by 12 p.m. on Monday, September 8, 2008.
- Send written comments to:

Jeanine Townsend, Clerk to the Board State Water Resources Control Board 1001 | Street, 24th Floor Sacramento, CA 95814 fax - (916) 341-5620

email -commentletters@waterboards.ca.gov subject line: Comment Letter-Wetland and Riparian Area Protection Policy

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