FACTS AND FINDINGS REGARDING FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE INLAND EMPIRE UTILITIES AGENCY PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE CHINO BASIN PROGRAM (SCH#2021090310) AND CANDIDATE STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE ENVIRONMENTAL EFFECTS FROM IMPLEMENTING THE CHINO BASIN PROGRAM

A. INTRODUCTION

The Inland Empire Utilities Agency (IEUA), in approving (certifying) the Chino Basin Program final Program Environmental Impact Report (PEIR) incorporating changes to the Chino Basin Program draft Program Environmental Impact Report, make the findings described below. These findings are based on the facts presented in public hearings on this matter, presented in the staff reports, environmental documents, and other information presented to the IEUA and summarized in this document. A statement of overriding considerations is presented at the end of these facts and findings in compliance with Section 15093 of the State CEQA Guidelines. The Final PEIR for the CBP ("Project"), State Clearinghouse (SCH) #2021090310, will be referred to herein as the "FPEIR". The total action that may be implemented by approval of the proposed CBP consists of all of the actions outlined in the FPEIR.

IEUA concluded that a Program EIR should be prepared to address the potential significant adverse environmental impacts that may result from implementing the CBP. IEUA based this determination to prepare a program EIR for the CBP on the fact that the EIR would need to evaluate the potential broad scope or programmatic environmental impacts that would result from constructing and implementing the whole of the proposed project.

The FPEIR has been prepared as the complete environmental document that encompasses all the issues addressed in the Draft PEIR (DPEIR), which determined the issues with a potential to cause significant adverse environmental impacts. The FPEIR serves as an informational document intended for use by IEUA, and responsible agencies such as Department of Water Resources (DWR), the California Department of Fish and Wildlife (CDFW), and Metropolitan Water District (MWD), as well as the general public in evaluating the potential environmental effects of implementing this project. IEUA prepared the Draft Program Environmental Impact Report (DPEIR) to address all topics required to be analyzed by CEQA and the CEQA Guidelines, as follows: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology/soils, greenhouse gas emissions/climate change, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation, tribal cultural resources, utilities/service systems, and wildfire.

The proposed project could result in significant impacts to the following environmental issues: Biological Resources, Greenhouse Gas, and Utilities and Service Systems, based on the facts, analyses and findings in the DPEIR.

Based upon data provided in the DPEIR, it was concluded that the proposed project could result in potentially significant adverse impacts because, even with the implementation of substantial mitigation measures to avoid contributing to cumulatively considerable impacts to covered

species and supporting habitat, which can be substantially mitigated by implementing the Upper Santa Ana River Habitat Conservation Plan (HCP), impacts to the Santa Ana sucker (SAS) cannot be completely avoided. This is because, the proposed CBP project operations may result in a reduction in surface flows in the Santa Ana River and into Prado Basin. Additionally, Low Impact Development ordinances, local policies, and municipal storm water detention regulations will encourage water conservation and surface runoff detention, resulting in a cumulative reduction in surface flows reaching Prado Basin. Thus, the CBP is forecast to cause potentially significant unavoidable adverse impact to biological resources, specifically implementation of the CBP will contribute cumulatively to potential significant impacts to the Santa Ana Sucker due to the reduction in cumulative flows to the Santa Ana River.

In addition, as a result of the uncertainty surrounding the future power mix and energy demands of the proposed CBP, the CBP would potentially fail to procure its electricity from carbon-neutral electricity sources by 2045. Therefore, the long-term, indirect impacts of the CBP's operational GHG emissions would be potentially significant. Additionally, construction-related GHG emissions associated with the CBP would exceed the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027), and therefore would potentially hinder the statewide GHG emission reduction target for 2030. As such, while mitigation ensuring IEUA implements all feasible GHG reduction measures during operations would minimize impacts to the greatest extent feasible, construction-related impacts from implementation of the proposed CBP would be potentially significant. Thus, exceedances of applicable SCAQMD regional thresholds are considered significant and unavoidable, and the construction and operation of the proposed project could create a significant cumulative impact to global climate change. Furthermore, as a result of significant impacts related to construction-related GHG emissions that would exceed the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027), the proposed CBP could result in significant and unavoidable GHG impacts related to construction of new or expansion or modifications to existing water and wastewater facilities, as the expansion of such facilities are proposed under the CBP. As such, water and wastewater infrastructure impacts under Utilities and Service Systems are considered significant and unavoidable.

All other potential environmental issues evaluated in the DPEIR were determined to be less than significant either without mitigation or with implementation of the mitigation measures identified therein.

Approval and implementation of the CBP for 25 years beginning in 2028 constitutes the "proposed project" that was evaluated in the DPEIR. It is the total project outlined in Chapters 2 and 3 of the DPEIR that constitutes the proposed project considered in this FPEIR.

B. PROJECT SUMMARY

B.1 PROJECT LOCATION

The Chino Basin consists of about 235-square-miles of the upper Santa Ana River watershed. The boundary of the Chino Basin is legally defined in the 1978 Judgment in the case of Chino Basin Municipal Water District vs. the City of Chino et al. The Chino Basin is an alluvial valley that is relatively flat from east to west and slopes from the north to the south at a one to two percent grade. Valley elevation ranges from about 2,000 feet in the foothills to approximately 500 feet near Prado Dam. The Chino Basin is bounded:

- on the north by the San Gabriel Mountains and the Cucamonga Basin;
- on the east by the Rialto-Colton Basin, Jurupa Hills, and the Pedley Hills;

- on the south by the La Sierra Hills and the Temescal Basin; and
- on the west by the Chino Hills, Puente Hills, and the Spadra, Pomona, and Claremont Basins.

The Chino Basin is one of the largest groundwater basins in Southern California with about 5,000,000 acre-feet (AF) of groundwater and an unused storage capacity of approximately 1,000,000 AF. Cities and other water supply entities produce groundwater for all or part of their municipal and industrial supplies; and about 300 to 400 agricultural users continue to produce groundwater from the Basin. The Chino Basin is an integral part of the regional and statewide water supply system. Prior to 1978, the Basin was in an overdraft condition. After 1978, the Basin has been operated as described in the 1978 Judgment.[1]

The principal drainage course of the Chino Basin is the Santa Ana River, which flows 69-miles across the Santa Ana River Watershed from its origin in the San Bernardino Mountains to the Pacific Ocean. The Santa Ana River enters the Basin at the Riverside Narrows and flows along the southern boundary to the Prado Flood Control Reservoir where it is eventually discharged through the outlet at Prado Dam into Orange County. Chino Basin is traversed by a series of ephemeral and perennial streams that include: Chino Creek, San Antonio Creek, Cucamonga Creek (Mill Creek), Deer Creek, Day Creek, Etiwanda Creek and San Sevaine Creek.

These creeks carry significant flows only during, and for a short time after, storm events that typically occur from November through March. Year-round flow occurs along the entire reach of the Santa Ana River due to year-round surface inflows at Riverside Narrows, discharges from municipal water recycling plants to the River between the Narrows and Prado Dam, and rising groundwater. Rising groundwater occurs in Chino Creek, in the Santa Ana River at Prado Dam, and potentially other locations on the Santa Ana River depending on climate and season.

The Chino Basin is mapped within the USGS – Corona North, Cucamonga Peak, Devore, Fontana, Guasti, Mount Baldy, Ontario, Prado Dam, Riverside West and San Dimas Quadrangles, 7.5 Minute Series topographic maps. The center of the Basin is located near the intersection of Haven Avenue and Mission Boulevard at Longitude 34.038040N, and Latitude 117.575954W.

B.2 PROJECT OBJECTIVES

The CBP has identified the following project objectives, which also help address local, State and Federal objectives as follows:

- **Meet Permit Compliance for the Continued Use of Recycled Water in the Chino Groundwater Basin:** The project provides groundwater recharge facilities to recharge high quality recycled water, thus reducing TDS levels within the Chino Groundwater Basin.
- **Maintain Commitments for Salt Management to Enable Sustainable Use of Recycled Water in the Basin:** With the implementation of AWPF with an expected effluent concentration of 100 mg/L, the recycled water TDS will be significantly reduced.
- **Develop Infrastructure That Addresses Long Term Supply Vulnerabilities:** The CBP would improve the use of recycled water at a regional level through new regional pipelines enabling greater potential access to recycled water and enhances local groundwater

[1] Original judgment in Chino Basin Municipal Water District vs. City of Chino, et al., signed by Judge Howard B. Weiner, Case No. 164327. File transferred August 1989, by order of the Court and assigned new case number RCV51010. The restated Judgment can be found here: http://www.cbwm.org/docs/WatermasterCourtFilings/2012%20Watermaster%20Restated%20Judgment.pdf

supplies through the installation of additional extraction wells and through the installation of new wellhead treatment systems that would bring existing out-of-service wells online.

- **Provide a Source of Water for Emergency Response:** The project results in 15,000 AFY in local supplies which can be used to augment the water supply portfolio during unplanned or catastrophic events.
- **Develop an Integrated Solution to Produce State and Federal Environmental Benefits:** The project develops a highly reliable new water supply formally dedicated to environmental benefit that can be deployed dynamically and managed flexibly to address varying and changing ecological needs.

B.3 PROJECT CHARACTERISTICS

IEUA is proposing to develop the CBP, which would provide a regional water resources and groundwater management program for the Chino Basin. The CBP's scope is a revolutionary, first-of-its-kind program designed to help the region move beyond traditional water management practices and into a new era of water use optimization. The CBP promotes proactive investment in managing the water quality of the Chino Groundwater Basin and in meeting regional water supply reliability needs in the face of climate change, while leveraging California's interregional plumbing system and the Chino Basin's future potential for water recycling to produce benefits to local, State, and federal interest.

The CBP was submitted for Proposition 1 – Water Storage Investment Program (WSIP) funding and was awarded $206.9M in conditional funding in July 2018. As a result, IEUA has developed the CBP program for which California Environmental Quality Act (CEQA) compliance has been determined to be required in order to implement this unique proposed conjunctive use program.

Under the WSIP, the CBP is proposed as a 25-year conjunctive use project that would develop and utilize a new advanced water purification facility (AWPF) to treat and store up to 15,000 acre-feet per year (AFY) of recycled water in the Chino Basin and extract the water during call years, which will likely be in dry seasons. The CBP would increase additional available groundwater supplies in the adjudicated Chino Basin through increased water recycling that would result from operation of a new AWPF and through groundwater storage by operation of new injection wells. The CBP would thereby enable IEUA to dedicate a commensurate amount of this "new" water locally generated from the AWPF to remain in the State Water Project system at Lake Oroville in Northern California that would otherwise be delivered to Southern California. The additional Lake Oroville water would subsequently be released in the form of "pulse flows" in the Feather River to improve habitat conditions for native salmonids and achieve environmental benefits.

IEUA's partner and the State Water Project Contractor that will facilitate the exchange for the CBP is Metropolitan Water District of Southern California (MWD). The CBP would produce 15,000 AFY of "new" water supply for a period of 25-years to provide for the State exchange, to be used in blocks of up to 50,000 AFY in hydrologically drier years when pulse flows in the Feather River would provide the most ecosystem benefit and other State Water Project (SWP) operations would not be affected. The exchange would be administered through agreements with the California Department of Water Resources (DWR), the California Department of Fish and Wildlife (CDFW), MWD, and other project partners.

Additionally, new water stored in the Chino Basin would also enhance emergency response water supply availability for IEUA and other participating agencies during crises such as flood or seismic events that disrupt imported water infrastructure. The infrastructure included in the CBP is consistent with infrastructure identified to reduce recycled water salinity for regulatory compliance

as well as water infrastructure that has been identified through IEUA's Integrated Water Resources Plan (IRP) effort.

The CBP would rely on water transfer agreements through MWD. For every acre-foot of water requested for north of the Delta ecosystem benefits, IEUA would pump locally stored groundwater and deliver it to MWD or use the water locally instead of taking raw imported water from MWD (referred to as "in lieu"). MWD would then leave behind an equivalent amount of water in Lake Oroville to be dedicated and released for the requested ecosystem benefit. The CBP can be operated in a way to provide up to 50,000 AFY of water for up to 7.5 years, with a consecutive draw of no more than 3 years, of the 25-year program (up to 375,000 AF total) as long as the groundwater extraction does not exceed the approved borrow amount. This would result in balancing the PUTs (the components to recharge purified water to the Chino Basin) and TAKEs (the components to extract groundwater and convey potable water supply) to the Chino Basin at the end of the 25-year program, i.e., up to 375,000 AF would be recharged over 25 years and the same amount could be extracted over 25 years. The CBP includes two main categories of infrastructure facilities: PUT and TAKE components.

The annual PUT (the components to recharge purified water to the Chino Basin) and periodic TAKE cycles (the components to extract groundwater and convey potable water supply) would require the development of various facilities to support the overall CBP. These potential facilities are separated into four project categories: (1) Project Category 1: Well Development (Injection wells, extraction wells, etc.); (2) Project Category 2: Conveyance Facilities and Ancillary Facilities; (3) Project Category 3: Groundwater Storage Increase; and, (4) Project Category 4: Advanced Water Purification Facility and Other Water Treatment Facilities.

Ultimately, the CBP brings together these components cost-effectively and greatly enhances flexibility and resiliency to regional and local water operations, particularly during future extended droughts expected as climate change continues to impact California. The CBP's proposed AWPF, new injection and extraction facilities, conveyance facilities, and water system interconnections will allow more optimal management of local water supplies, including meeting water quality requirements for the continued use of recycled water within the Chino Basin, improved storage and recovery operations, as well as redundancies in water delivery infrastructure that will facilitate future rehabilitation and replacement of existing infrastructure.

Additionally, the proposed CBP requires an increase in the Safe Storage Capacity of the Chino Basin in order to accommodate an addition of up to 150,000 AF of managed storage above the existing Safe Storage Capacity (700,000 AF through June 30, 2030, and to 620,000 AF from July 1, 2030 through June 30, 2035). As such, the CBP would contemplate a tiered increase in Safe Storage Capacity that would accommodate CBP storage requirements as well as Chino Basin Watermaster (Watermaster) stakeholder storage requirements as follows: the CBP proposes an increase in Safe Storage Capacity up to 700,000 AF through June 30, 2039, and to 580,000 AF from July 1, 2039 through June 30, 2048, with the Safe Storage Capacity decreasing to 500,000 AF thereafter. The storage increase would accommodate the CBP during its 25-year planning horizon, and any future required increase in storage that may be necessary to accommodate the increased recharge and extraction capacities provided by CBP infrastructure would be addressed in future CEQA documentation. Overall, the CBP may: reduce dependence on imported water through development of infrastructure that would provide a new local source of water; improve water quality by reducing the expected TDS concentration of the AWPF effluent by 100 mg/L; and provide a new local water supply for the Basin as a result of the creation of the AWPF that would enable IEUA to continue treating recycled water to below the regulatory limits set by the Santa Ana Regional Water Quality Control Board's (RWQCB) Basin Plan for continued Basin use. This

proposed tiered increase would supersede the Safe Storage Capacity that was approved in March of 2021 by the IEUA Board and subsequently approved by the Watermaster in May 2021. Furthermore, as storage space in the Basin is regulated by the Watermaster, a Storage Agreement will be required in order for the proposed modification to the Safe Storage Capacity to be adopted.

Implementation of physical components of this project such as development of conveyance facilities, installation of the AWPF, and construction of the wells and water treatment facilities will, in most cases, each require the submittal of a Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) for a NPDES (National Pollution Discharge Elimination System) general construction stormwater discharge permit. This permit is granted by submittal of an NOI to the SWRCB, but is enforced through a Storm Water Pollution Prevention Plan (SWPPP) that identifies construction best management practices for the site. In the project area, the Santa Ana Regional Water Quality Control Board (RWQCB) enforces the best management practice requirements described in the NPDES permit by ensuring construction activities adequately implement a SWPPP.

Regulatory permits to allow fill and/or alteration activities due to project activities such as pipeline installation are likely to be required from the Army Corps of Engineers (ACOE), the Regional Board, and California Department of Fish and Wildlife (CDFW) over the life of the CBP. A Section 404 permit for the discharge of fill material into "waters of the United States" may be required from the ACOE; a Section 401 Water Quality Certification may be required from the Regional Board; a Report of Waste Discharge may be required from the Regional Board; and a 1600 Streambed Alteration Agreement may be required from the CDFW.

The U.S. Fish and Wildlife Service (USFWS) and/or CDFW may need to be consulted regarding threatened and endangered species documented to occur within an area of potential impact for future individual projects. This could include consultations under the Fish and Wildlife Coordination Act.

Land use permits may be required from local jurisdictions, such as individual cities and the two Counties (Riverside and San Bernardino). Air quality permits may be required from the South Coast Air Quality Management District (SCAQMD). Encroachment permits may be required from local jurisdictions, such as individual cities, California Department of Transportation (Caltrans), the two counties (Riverside and San Bernardino), Flood Control agencies, and private parties such as Southern California Edison, The Gas Company, or others such as BNSF Railway Company. Watermaster has a separate approval process for determining material physical injury to the stakeholders within the Chino Basin.

The above is considered to be a partial list of possible permitting agencies for future individual CBP projects.

C. ENVIRONMENTAL REVIEW

The entire administrative record, including the CBP PEIR, public comments and responses, IEUA Staff reports, and these facts, findings and statement of overriding considerations, serve as the basis for the IEUA's environmental determination. The IEUA Board's environmental determination is that the CBP FPEIR addresses all of the potential impacts from implementing the proposed project as outlined above and defined in detail in Chapter 3 of the CBP FPEIR. The detailed environmental impacts and proposed mitigation measures for the future development of the proposed project's facilities are presented in Chapter 4 of the CBP FPEIR, in the Chapter 1

Executive Summary and in the response to comments which is part of the CBP FPEIR. Alternatives to the proposed project are discussed in Chapter 5 of the CBP FPEIR. Evaluations of growth inducement, cumulative impacts, and irreversible commitment of resources are provided in Chapter 6, Topical Issues, of the CBP FPEIR. The findings outlined in the following section of this document contain a summary of the facts used in making findings and determinations for each of the environmental issues addressed in the CBP FPEIR.

1. Consideration of the EIR: The CEQA environmental review process for the CBP was initiated in September of 2021 with the release of a Notice of Preparation (NOP) for public review and comment. The NOP was distributed to responsible and interested agencies and organizations and the State Clearinghouse, and was provided on IEUA's website as a link available to the public. A scoping meeting was held on October 6, 2021 in the IEUA Board Room, in the City of Chino, California.

As previously indicated, this FPEIR has been prepared to address the issues identified above in Section B and provide an informational document intended for use by the IEUA, interested and responsible agencies and parties, and the general public in evaluating the potential environmental effects of implementing the CBP. Technical documents relied upon for the analyses are provided in the appendices in Volume 2 of the DPEIR. The air quality and greenhouse gas emissions forecasts, and energy analysis were provided by Woodard & Curran; the cultural resources memorandum was provided by CRM TECH; the hydrology and water quality analyses were provided by West Yost; and the biological analysis was provided by Jacobs. Brown and Caldwell and WSC, Inc., also prepared the Chino Basin Program Assumptions Technical Memorandums that were relied upon to develop the project description. Additionally, the CBP Feasibility Study prepared by IEUA and GEI Consultants, Inc., was utilized in support of responding to comments on the project during the public review period. The NOP identified the full scope of environmental issues for focus in a draft PEIR. After review of the NOP comments, the scope of the draft PEIR (DPEIR) was finalized and no additional issues were added to the scope of the DPEIR beyond those mentioned in Section B of this document.

The proposed project DPEIR was released to the public for review and comment on October 28, 2021. The mandatory 45-day review period closed on December 13, 2021. A total of 7 comment letters were received on the DPEIR.

The CBP final Program Environmental Impact Report (FPEIR) dated May 8, 2022 was transmitted to all interested parties, including public agencies that commented on the DPEIR, to fulfill the requirements of Section 21092.5 of CEQA. The FPEIR and all supporting material has been made available to the IEUA Board and a summary of the FPEIR and its findings presented directly to the Board for consideration in making its decision to certify the FPEIR and approve the CBP.

The IEUA Board makes the following certifications pursuant to the California Environmental Quality Act Guidelines Section 15090. The Board finds and certifies that the CBP FPEIR has been completed in compliance with CEQA. The Board certifies that all voting members have reviewed and considered the FPEIR prior to approving the proposed CBP Project. In addition, all voting Board members have reviewed and considered the additional information presented at or prior to the public hearing on May 18, 2022. The Board further finds and certifies that the FPEIR reflects the independent judgment and analysis of IEUA, the Board and its Staff and the CBP FPEIR is adequate to make a decision for this proposed project.

2. **Full Disclosure:** The IEUA Board finds and certifies that the CBP FPEIR constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA.

3. **Location of Record Proceedings:** The documents and other materials which constitute the record of proceeding upon which this decision is based are in the custody of the IEUA located at 6075 Kimball Avenue, Chino, CA 91708. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2).

4. **Inland Empire Utilities Agency as Lead Agency under CEQA:** The Inland Empire Utilities Agency is the "lead agency" as defined by CEQA Guidelines Section 15050. In compliance with its authority and responsibility for overseeing wastewater treatment and imported water for the Chino Basin, IEUA has prepared the DPEIR and FPEIR for the proposed project, compiled these candidate facts, findings and Statement of Overriding Considerations in accordance with the CEQA Guidelines and the Public Resources Code, and will carry out all other duties and responsibilities required of a lead agency under CEQA and the CEQA Guidelines.

D. FINDINGS

Presented below are the environmental findings made by IEUA after its review of the documents referenced above; and consideration of written and oral comments on the proposed project at public hearings, including all other information provided during the decision-making process. These findings provide a summary of the information contained in the FPEIR, related technical documents, and the public hearing record that have been referenced by the IEUA Board in making its decision to approve the CBP.

The CBP FPEIR prepared for the proposed project addresses the consequences of implementing the components of the proposed project and operation of the future AWPF, wells, pipelines and associated infrastructure. This FPEIR, and supporting technical studies, evaluated 20 major environmental issues categories for potential significant adverse impacts. The major environmental issue categories presented consist of all those listed in the CEQA Guidelines' Appendix G Environmental Checklist Form. Short and long-term impacts and project-specific and cumulative impacts were evaluated from implementation of the proposed project. Some of the issue categories contained several sub-issues which are summarized below.

Of these 20 major environmental categories, the IEUA Board concurs with the findings in the CBP FPEIR, that the issues and sub-issues discussed below are either not significant without mitigation or they can be mitigated below a level of significance through implementation of mitigation measures. However, the Board concludes that impacts to greenhouse gas/climate change emissions and exceeding the greenhouse gas regional emission significance thresholds established by the South Coast Air Quality Management District (SCAQMD) as a result of the CBP cannot be fully mitigated to a level of insignificance even after imposition of all feasible mitigation. Additionally, the CBP is forecast to cause significant unavoidable adverse impact to biological resources, specifically implementation of the CBP will contribute cumulatively to potential significant impacts to the Santa Ana Sucker due to the reduction in cumulative flows to the Santa Ana River. Finally, it was concluded that the proposed CBP would result in significant impacts related to the construction-related GHG emissions that would result from the extension of water- and waste-water-related infrastructure, as such water and wastewater infrastructure impacts under Utilities and Service Systems are considered significant and unavoidable. For these issues that cannot be mitigated below a level of significance, the IEUA Board finds that overriding considerations exist which make these forecasted impacts acceptable.

Unavoidable (unmitigable) significant adverse environmental impacts of the project are described in Section F of this document. This discussion is followed by an analysis and comparison of the alternatives to the proposed project that are described in Section G of this document. Project benefits are described in Section H. The balancing of benefits and impacts and the Statement of Overriding Considerations for this project are described and evaluated in Section I of this document.

Mitigation measures referenced in this document are also contained in the Mitigation Monitoring and Reporting Program (MMRP) and are incorporated as part of the CBP FPEIR. The MMRP sets forth each mitigation measure and identifies the person or entity responsible for overseeing or enforcing the implementation of these mitigation measures. The monitoring program ensures that the measures identified in the CBP FPEIR will be implemented in accordance with mitigation discussions in the FPEIR.

E. NON-SIGNIFICANT IMPACTS IDENTIFIED IN THE FPEIR (CEQA GUIDELINES § 15091(a)(l))

The following issues were identified in the CBP FPEIR as having no potential to cause significant impact or were capable of having impacts reduced below a significant level by implementing the identified mitigation measures. All of these issues were fully addressed and substantiated in the FPEIR. All the following references are to findings in the CBP FPEIR. In the following presentation, each issue is identified; it is followed by a summary description of the potential significant adverse environmental effect and a short discussion of the findings and facts in the administrative record, as defined above.

The Inland Empire Utilities Agency Board hereby finds that all mitigation measures identified in the CBP FPEIR are feasible and will be implemented to mitigate identified impacts of this project and will be incorporated into or will be required of the project to avoid or substantially lessen potentially significant environmental impacts to either a less than significant level of impact or to the maximum extent feasible. Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the completed environmental impact report;

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been, or can and should be, adopted by such other agency; and/or

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

The Inland Empire Utilities Agency Board hereby finds, pursuant to Public Resources Section 21081 and CEQA Guidelines Section 15091(a)(1), that the following issues are nonsignificant adverse impacts because they either have no potential to cause a significant adverse impact or

because mitigation measures will be implemented, as outlined below, to reduce a potential significant impact to a less than significant level. The IEUA Board further finds that no additional mitigation measures or project changes are required to reduce the potential impacts discussed in this section to a less than significant level of impact. These issues and the measures adopted to mitigate them to a level of insignificance are as follows:

Issues Determined to be Nonsignificant in the CBP FPEIR

1. Aesthetics:

a. Would the project have a substantial adverse effect on a scenic vista?

Finding: Less Than Significant with Mitigation Incorporated (pg. 4-11 to 4-12, FPEIR)

Facts: The most significant visual resources in the project area are the hills and mountains surrounding the Chino Basin, pastoral landscapes in and within view of the project area and the Prado Basin wetlands that occur in the southern portion of the Chino Basin. The predominant scenic vistas in the CBP area, as identified in local General Plans (Cities of Upland, Pomona, Montclair, Chino Hills, Chino, Ontario, Rancho Cucamonga, Eastvale, Jurupa Valley, Fontana, Claremont, Pomona and Counties of San Bernardino and Riverside), are: the views of the San Gabriel, San Bernardino and Santa Ana Mountains, Chino Hills, Jurupa Hills, Puente Hills and San Jose Hills, Tonner Canyon, Prado Basin, the Chino farmlands, and certain road corridors.

For all 4 Project Categories, construction was determined to result in less than significant impacts due to the temporary nature of construction. Due to the varied footprints of the types of projects proposed, as well as the speculative nature of the locations for future CBP projects, mitigation was required to minimize the potential for an individual project to impact a scenic vista.

The implementation of Mitigation Measure (MM) **AES-1** would ensure that the proposed facilities' contribution to cumulative scenic vista impacts would be reduced to less than cumulatively considerable by meeting the local design and landscape standards. Furthermore, the implementation of MM **AES-2** will ensure that impacts to scenic resources from the implementation of future CBP facilities will be avoided or assessed further in future CEQA documentation if not avoidable.

Ultimately, with the implementation of mitigation, no permanent significant adverse effect on a scenic vista or the visual character of the area is forecast to result from implementing the proposed project.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Finding: Less Than Significant with Mitigation Incorporated (pg. 4-13 to 4-15, FPEIR)

Facts: There are roadways classified as eligible for state scenic highway status within the Chino Basin; however, there are no officially designated scenic highways. Eligible state scenic highways include: State Route (SR) 142 south of SR 71 and SR 71 south of SR 83 (Caltrans, 2016). The most significant visual resources are the hills and mountains surrounding the Chino Basin and the pastoral landscape that occurs

in the southern portion of the Chino Basin. The activity with the highest potential to conflict with local agency design guidelines is construction disturbance of the landscape. Such disturbance can be reduced to an acceptable level by landscaping or revegetating disturbed areas.

Many of the facilities, including the proposed AWPF and wellhead treatment facilities at existing well sites, that are likely to be implemented under the CBP would be installed within existing, developed water facility sites, many of which are in commercialized or industrial areas. The existing facilities are surrounded by block walls and/or chain link fences and, in some cases, vegetative visual buffers. Additionally, some of these facilities are landscaped. As such, on-site operations, including the proposed CBP facilities that would be installed within developed sites, would generally not be visible from off-site, and the visual character of these sites would not change. As specific facilities are proposed in the future, given that the specific locations for many other CBP facilities are presently unknown, mitigation is required to ensure that impacts to scenic resources are minimized to below significance thresholds.

The implementation of MM **AES-3** would ensure that the proposed facilities' impacts to scenic resources, such as trees, are minimized to a level of less than significant through replacement of trees, avoidance of scenic resources, or by undergoing a second tier CEQA evaluation. Furthermore, MM **AES-4** would ensure that future facilities are either not located within sites containing scenic resources or will undergo subsequent CEQA documentation to fully analyze the impacts thereof if not avoidable.

With implementation of mitigation as discussed above, development under the CBP will be consistent with current general plan requirements for protecting scenic resources and scenic highway visual values. No permanent loss of significant scenic resources will result from implementing the proposed project.

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning or other regulations governing scenic quality?

Finding: Less Than Significant with Mitigation Incorporated (pg. 4-15 to 4-17, FPEIR)

Facts: The proposed CBP facilities will utilize a variety of types of sites including existing facilities, underground systems within road- and through-ways, and new sites that may be undeveloped or highly disturbed to meet CBP objectives. Installation of aboveground facilities has a potential to modify the existing view or visual setting at future specific project sites which could cause a substantial negative visual impact. All facilities will be required to comply with the local jurisdiction zoning codes and other regulations governing scenic quality. However, mitigation measures are required to ensure compliance with the applicable zoning code, and to ensure that the proposed facilities will conform with design requirements established by local jurisdictions.

Although the specific project sites will be altered, and the impacts may be considered an adverse change, the change is not considered sufficient to be characterized as a

significant adverse impact due to the limited area that will be impacted at any one facility location, and the fact that the pipelines are not visible once construction is complete. The visual character and quality of the project area is not forecast to be significantly degraded. The facilities would be constructed to meet local jurisdiction current design standards.

The implementation of MM **AES-5** would ensure compliance with the applicable zoning code. Furthermore, MM **AES-6** would ensure that future facilities will conform with design requirements established by local jurisdictions.

Based on the specific criteria identified above, the existing visual character and quality of future sites will be modified, but it will be modified in a manner consistent with the local City/County General Plans vision for specific sites and roadways within their various jurisdictions. With adherence to community standards and through compliance with mitigation measures ensuring compliance with design requirements and zoning standards, the negative effects to aesthetics would be less than significant.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less Than Significant with Mitigation Incorporated (pg. 4-17 to 4-19, FPEIR)

Facts: Some of the proposed CBP facilities will require the installation of night lighting, possibly including areas where little or no night lighting currently exists. The development of some of the proposed facilities are to be within existing facility sites, which already have some lighting features, though sites have not been selected for many other future CBP facilities. Glare from new light fixtures that may be installed as part of proposed improvements has a potential to result in spill over lighting onto adjacent sensitive receptors such as residential, rural or wildlife habitat portions within the project area. Though no unusual or unique sources of light and glare are anticipated to be required in support of CBP facilities, mitigation to address the new or increased lighting that may result from the proposed CBP facilities is required.

The implementation of MM **AES-7** would ensure that light and glare impacts from future structures associated with the CBP are minimized to a level of less than significant.

With implementation of mitigation to ensure that this future increase in lighting does not result in a new source of substantial light or glare which would adversely affect day or nighttime views in the area, implementation of the CBP is not forecast to result in any significant light or glare effects.

Mitigation Measures

The IEUA has determined that the proposed project would have a potentially significant impact as a result of aesthetics or visual modifications from future CBP projects. Mitigation measures to reduce those potential impacts to below a level of significance are provided below.

AES-1 Proposed facilities shall be designed in accordance with local design standards and integrated with local surroundings. Landscaping shall be installed in conformance with local landscaping design

guidelines as appropriate to screen views of new facilities and to integrate facilities with surrounding areas.

AES-2 Future CBP facilities at unknown locations shall either (1) be located outside of scenic viewsheds identified in the General Plan or Municipal Code corresponding to a proposed location for a future facility; (2) be unobtrusive to scenic vistas due to height or other mitigating factors as confirmed by a visual simulation that demonstrates this; or (3) where (1) or (2) are not possible, undergo subsequent CEQA documentation to assess potential aesthetic impacts a future CBP facility may have upon contain scenic resources.

AES-3 Should the removal of trees be required for a specific project, IEUA shall comply with the local jurisdiction's tree ordinance, municipal code, or other local regulations. If no tree ordinance exists within the local jurisdiction, and a project will remove healthy trees as defined by a qualified arborist, (1) the IEUA shall replace all trees removed at a 1:1 ratio, and (2) the specific location selected for a CBP facility shall avoid rock outcroppings and other scenic resources as defined in CEQA Guidelines Appendix G. If this cannot be accomplished a second tier CEQA evaluation shall be completed.

AES-4 Future proposed facilities defined within the CBP at unknown locations shall either (1) be located within sites that avoid rock outcroppings and other scenic resources as defined in CEQA Guidelines Appendix G, or (2) undergo subsequent CEQA documentation to assess potential impacts from locating a future facility in an area that may contain scenic resources.

AES-5 CBP facility implementation will conform with design requirements established in the local jurisdiction planning documents, including but not limited to the applicable zoning code, except where such compliance is not required by California law.

AES-6 When CBP above ground facilities are constructed in the future, the local agency design guidelines for the project site shall be followed to the extent that they do not conflict with the engineering and budget constraints established for the facility and except where such compliance is not required by California law.

AES-7 Future CBP projects shall implement at least the following measures, unless they conflict with the local jurisdiction's light requirements, in which case the local jurisdiction's requirements shall be enforced:

- ***Use of low-pressure sodium lights where security needs require such lighting to minimize impacts of glare; Projects within a 45-mile radius of the Mount Palomar Observatory and located within Riverside County must adhere to special standards set by the County of Riverside relating to the use of low-pressure sodium lights.***
- ***The height of lighting fixtures shall be lowered to the lowest level consistent with the purpose of the lighting to reduce unwanted illumination.***
- ***Directing light and shielding shall be used to minimize off-site illumination.***
- ***No light shall be allowed to intrude into sensitive light receptor areas.***
- ***Non-reflective materials and/or coatings shall be used on the exterior of all water storage reservoirs if constructed in a publicly visible location.***

IEUA finds that implementation of the above measures would reduce potential adverse aesthetics impacts to a level of less than significant. As described in Subchapter 4.2 of the FPEIR, all potential aesthetic impacts associated with the CBP can be mitigated to a less than significant impact level. Mitigation measures would: minimize impacts to scenic vistas through enforcing future projects to meet local design standards; minimize impacts to scenic resources through avoidance of such resources, or through assessment in subsequent CEQA documentation; minimize impacts to scenic resources such as trees through enforcement of compliance with local jurisdiction tree ordinance(s); minimize conflicts with regulations governing scenic quality through enforcing compliance with applicable zoning code and design requirements established by local jurisdictions; and, minimize light and glare impacts by enforcing local jurisdiction light and glare minimization standards. The above measures will be integrated into the proposed facilities that will be constructed without additional impacts on the environment. Since the proposed projects as analyzed above with the implementation of the above identified mitigation measures will not

directly or indirectly cause significant adverse impact to aesthetic resources, the proposed project is not forecast to contribute to cumulatively significant aesthetic impacts within the project area.

2. Agricultural Resources:

a. Would the 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?

Finding: Less Than Significant with Mitigation Incorporated (pg. 4-26 to 4-28, FPEIR)

Facts: The Chino Basin area historically contained significant agricultural resources; citrus ranches in the north and primarily dairy ranches and vegetable farms located in the southwestern portion of the County of San Bernardino. There are several areas of land designated by the California Department of Conservation as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the Chino Basin area which includes portions of Riverside County. Those new facilities located north of State Highway (SH) 60 will not cause the loss of any important farmland. Those located south of SH 60 have a potential to cause the loss of some important farmland soil resources. Within the southern portion of the Basin, some wellhead treatment facilities, conveyance facilities and support equipment may be required to be located within important farmland areas resulting in a potentially significant impact to such resources. Where this occurs mitigation will be implemented to avoid or compensate for such impacts. To offset the impacts to important farmland in the southern Chino Basin, projects can compensate for such impacts to farmland resources by participating in important farmland mitigation banks, either ones created in the local area or mitigation banks established in other areas of California.

The implementation of MM **AGF-1** would ensure the proposed facilities' contribution to project specific or cumulative farmland impacts would be reduced to less than cumulatively considerable. If designated important farmland cannot be avoided, the IEUA shall conduct a California Land Evaluation and Assessment (LESA) model evaluation. If the evaluation determines the loss of important farmland will occur, IEUA shall either (1) relocate and avoid the site, or alternatively IEUA shall (2) where relocation is not possible, undergo subsequent CEQA documentation to assess potential impacts that a future CBP facility may have upon agricultural resources.

With the implementation of mitigation to address any CBP facilities located within important farmland, through avoidance of important farmlands during site selection or through subsequent CEQA documentation, the CBP would avoid or further analyze such impacts, thereby reducing impacts to a level of less than significant.

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

Finding: Less Than Significant with Mitigation Incorporated (pg. 4-28 to 4-29, FPEIR)

Facts: The same circumstance exists for the six cities that no longer include any designated agricultural land. The proposed project cannot conflict with existing land use designations. On the other hand, there are five agencies, the two counties and the cities of Chino, Chino Hills and Eastvale that still have some land assigned agricultural designations. The critical issue for such designated land is whether such designated land constitutes "important farmlands" in contrast to low value (from an

agricultural perspective) agricultural land, such as grazing land. Where future CBP water facilities or operations are proposed for implementation, a potential does exist for impact to important farmlands. However, mitigation is provided to minimize potential impacts to high value agricultural land.

The implementation of MM **AGF-1** includes the need to conduct a LESA Model if a facility is proposed on land designated as important farmland. If there is a determination that the loss of farmland is significant based on the LESA Model, the IEUA shall either (1) relocate and avoid the site, or alternatively IEUA shall (2) where relocation is not possible, undergo subsequent CEQA documentation to assess potential impacts that a future CBP facility may have upon agricultural resources.

With the implementation of mitigation to address any CBP facilities located within important farmland, through avoidance or providing a LESA Model of important farmlands during site selection and through avoidance or subsequent CEQA documentation, the CBP would avoid or further analyze such impacts, thereby reducing impacts to a level of less than significant

c. Would the project 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))?

Finding: No Impact (pg. 4-29 to 4-30, FPEIR)

Facts: The Chino Basin does not include zoning designations for forest land, timberland, or timberland zoned Timberland Production. The project area borders the San Bernardino National Forest, but it does not overlap with the Chino Basin boundaries.

With no acreage designated for timberland development in the Chino Basin by any of the local jurisdictions, no potential exists to adversely impact timberland through conflicts with such land use designation.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Finding: Less Than Significant with Mitigation Incorporated (pg. 4-30 to 4-31, FPEIR)

Facts: The southern-most portion of the Chino Basin overlaps with riparian woodland areas along the Santa Ana River; Chino Creek; and Mill Creek; and in the Prado Basin. Certain areas of these riparian woodlands may qualify as forest land. Other than these specific areas, no contiguous area of forest land occur in the Chino Basin. Further, no jurisdictions have designated areas within their jurisdiction with zoning designations for forest land.

All projects in the remainder of the Basin (outside of the southernmost portion of the Basin identified above) would not result in the loss of forest land or conversion of forest land to non-forest use, and therefore, would not contribute to any effect on forest or timberland losses from CBP implementation. However, as the locations for many future CBP facilities are presently unknown, and given that there is minimal potential for the CBP facilities to impact lands that might qualify as forest land, mitigation is required to reduce impacts to a level of less than significant.

For all projects implemented in the Chino Basin that actually impact "forest land/riparian woodland" MM **AGF-2** shall be required when five acres or more of such woodland is impacted in support of CBP projects.

With the implementation of mitigation to address the loss of significant riparian woodland/forest land (defined as loss of over five acres), through compensatory mitigation where significant riparian woodland/forest land exists, the CBP would avoid or compensate for forestry impacts, thereby reducing impacts to a level of less than significant.

e. Would the project 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?

Finding: No Impact (pg. 4-31 to 4-32, FPEIR)

Facts: As previously stated, no Williamson Act lands exist within the Chino Basin. Ultimately, the CBP may develop land adjacent to or within agricultural or forestry uses, which could contribute to changes within the existing environment which would result in conversion of agricultural or forestry uses to non- agricultural or non-forestry use.

The implementation of each mitigation measure involves avoidance as the first mitigation approach, but provides contingency measures to address impacts that cannot fully avoid these resources. Two of the mitigation measures require tests of onsite resources (the LESA Model or an evaluation to determine whether woodlands qualify as "forest land") to determine whether they qualify as resources of sufficient importance that would require mitigation of potential impacts.

For the whole of that which would be developed and implemented as part of the CBP implementation of MMs **AGF-1** and **AGF-2** will reduce potentially significant adverse impacts to agricultural, forest, and timber resources to a less than significant impact level.

Mitigation Measures

The IEUA has determined that the proposed project would have a potentially significant impact as a result of the development of proposed CBP facilities that have a reasonable possibility of removing some agricultural or forestry land from operation. Mitigation measures to reduce the impact to below a level of potential significance are provided below.

AGF-1 ***For all proposed facilities in the southern portion of the Chino Basin (south of SR 60), the potential for impact to Important Farmlands (Prime Farmland, Farmland of Statewide Importance, or Unique Farmland) shall be determined prior to final site election. If important farmland cannot be avoided and individually exceeds 5 acres or cumulatively exceeds 10 acres of important farmland lost to agricultural production over the life of the program, IEUA shall provide compensatory mitigation in the form of comparable important farmland permanently conserved in either a local or State-approved important farmland mitigation bank at a mitigation ratio of 1:1. The acquisition of this compensatory mitigation shall be completed within one year of initiating construction of the proposed facility and verification shall be documented by IEUA.***

AGF-2 ***For all proposed facilities that may impact riparian woodland/forest land in the portion of the Chino Basin (SR 60), the potential for impacts to riparian woodland/forest land shall be determined prior to final site election. If important forest land cannot be avoided and permanently will exceed 5 acres***

in area, IEUA shall relocate and avoid the site, or alternatively IEUA shall conduct an evaluation to determine if it qualifies with the State definition of "forest land." If the evaluation determines the permanent loss of important forestland will occur, IEUA shall provide compensatory mitigation in the form of comparable forest land permanently conserved in either a local or State-approved important forest land mitigation bank at a mitigation ratio of 1:1. Alternatively, IEUA may carry out a forest land creation program at a 1:1 ratio for comparable woodland. The acquisition or creation of this compensatory mitigation shall be completed/initiated within one year of initiating construction of the proposed facility and verification shall be documented by IEUA.

IEUA finds that implementation of the above measures would reduce potential adverse impacts associated with the conversion of important agricultural and/or forest lands. The above measure can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the proposed facilities that will be constructed without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant adverse impact to agricultural lands, the proposed project is not forecast to contribute to cumulatively significant conversion of agricultural or forest lands within the project area.

3. Air Quality

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Finding: Less Than Significant Impact With Mitigation Incorporated (pg. 4-56, FPEIR)

Facts: The CBP would involve the replacement of imported water with a local water supply, which would add reliability to the IEUA water portfolio serving existing customers as well as future customers associated with planned growth in the area. Therefore, the proposed CBP would not lead to unplanned population, housing or employment growth that exceeds the forecasts used in the development of the AQMP. Furthermore, with implementation of MM **AQ-1** (discussed below under question [b]) and adherence to existing regulations, the proposed CBP would not result in emissions of criteria air pollutants that would conflict with the AQMP regional rules and regulations established to achieve the federal air quality standards. Therefore, impacts related to the applicable air quality control plan would be less than significant with mitigation incorporated.

b. Would the project 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-57 to 4-59, FPEIR)

Facts: Consistent with South Coast Air Quality Management District (SCAQMD) guidance, maximum daily construction-related VOC, NOx, carbon monoxide, sulfur oxide, PM10, and PM2.5 emissions from demolition, site preparation, grading, infrastructure installation, building construction, paving, and other activities have been quantified for each year of construction activities and compared to the regional significance thresholds for construction-related emissions, along with the project maximum daily emissions with mitigation implemented for Construction:

- VOC: threshold 75; Project Yearly Max 32 Exceeds Threshold? No
- NO_x: threshold 100; Project Yearly Max 280; Exceeds Threshold? Yes
- CO: threshold 550; Project Yearly Max 238; Exceeds Threshold? No
- SO_x: threshold 150; Project Yearly Max 1; Exceeds Threshold? No
- PM_{10}: threshold 150; Project Yearly Max 57; Exceeds Threshold? No

- $PM_{2.5}$: threshold 55; Project Yearly Max 29; Exceeds Threshold? No

Mitigation is required to minimize impacts related to construction emissions, specifically to minimize NO_x emissions. IEUA may choose to meet the performance standard of MM **AQ-1** in a variety of ways. For example, IEUA may choose to require its contractor(s) to utilize a fleet in which 75 percent of the construction equipment and vehicles, with the exception of drill rigs, used for construction activities are equipped with Tier 4 Final engines. Implementation of this scenario to achieve the performance standard of MM **AQ-1** would reduce maximum daily construction emissions of NO_X to below the SCAQMD regional significance threshold. As such, CBP construction would not cause 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; impacts are less than significant with mitigation.

Long-term operation of individual projects implemented under the CBP would involve occasional operations and maintenance trips and increased energy consumption to operate the AWPF, wellhead treatment facilities, pump stations, and injection and extraction wells. No overlap between construction and operation is anticipated to occur. While emissions of criteria pollutants would result from motor vehicle trips associated with maintenance and operation of the CBP facilities, these emissions would be negligible due to the minimal trips generated by the project.

Operational electricity consumption would not result in direct project emissions of criteria air pollutants. Only direct emissions of criteria pollutants from energy sources that combust on-site, such as natural gas, are attributed to individual projects. None of the individual projects implemented under the proposed CBP would result in the combustion of natural gas on-site. Criteria pollutant emissions from the power plants that would provide electricity to CBP facilities are associated with the power plants themselves, which are stationary sources permitted by air districts and/or the U.S. EPA, and are subject to local, state and federal control measures. Thus, emissions of criteria pollutants related to electricity consumption are not attributable to individual projects.

Therefore, operational emissions of criteria air pollutants would be minimal and would not have the potential to exceed the SCAQMD regional significance thresholds. Operational impacts are less than significant with mitigation

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less Than Significant Impact (pg. 4-59 to 4-63, FPEIR)

Facts: Although multiple individual projects under the CBP may be constructed simultaneously, each project under construction is not anticipated to be located in such close proximity to other projects under construction that multiple individual projects would affect the same sensitive receptor. Thus, it is unlikely that the combined effects of individual projects under all project categories would result in greater localized air quality impacts related to criteria air pollutant emissions than those evaluated above for each project category. No additional localized air quality impacts related to criteria air pollutant emissions would occur as a result of the combined project categories.

As discussed under checklist item (b), operation of individual projects under the proposed CBP would result in negligible long-term criteria air pollutant emissions that would not exceed SCAQMD emissions standards. If a project is consistent with the latest adopted AQMP and does not exceed the SCAQMD significance thresholds, it can be assumed that it would not have a substantial adverse impact on public health because the AQMP is designed to be consistent with the federal Clean Air Act and the SCAQMD thresholds are set at the level at which a project would cause or have a cumulatively considerable contribution to an exceedance of a federal or State ambient air quality standard, which are protective of public health. Therefore, project operation would not expose sensitive receptors to substantial criteria air pollutant concentrations, and impacts would be less than significant.

Furthermore, based on the low background level of carbon monoxide in the SCAB, continued improvement in vehicle emissions standards for new cars in accordance with State and federal regulations, and the low level of operational carbon monoxide emissions associated with operation of CBP facilities, the CBP would not create new hotspots or contribute substantially to existing hotspots. Therefore, the CBP would not expose sensitive receptors to substantial concentrations of carbon monoxide, and impacts would be less than significant.

SCAQMD CEQA guidance does not require preparation of a health risk assessment for short-term construction emissions. Moreover, CBP construction sites would be distributed throughout the Chino Basin such that people affected by construction-related toxic air contaminant (TAC) emissions generated at one construction site would not be affected by construction-related TAC emissions generated at another construction site should construction activities occur simultaneously. Therefore, the CBP is not forecast to result in the exposure of off-site sensitive receptors to significant amounts of carcinogenic or toxic air contaminant during construction. Additionally, none of the project types proposed by the CBP include the types of facilities mentioned in the SCAQMD Air Toxics “Hot Spots” Program annual reporting. Therefore, the CBP would not result in the exposure of off-site sensitive receptors to significant amounts of carcinogenic or toxic air contaminant during operation. No impacts would occur.

Ultimately, the CBP would have a less than significant potential to expose sensitive receptors to substantial pollutant concentrations and no mitigation is required.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Finding: Less Than Significant Impact (pg. 4-64, FPEIR)

Facts: Potential odor sources associated with the proposed project may result from construction equipment exhaust during construction activities and the temporary storage of typical solid waste (refuse) associated with the proposed project’s uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the lead agency’s solid waste regulations. The project would be

required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed project construction and operations, particularly the new AWPF in Rancho Cucamonga, would be less than significant and no mitigation is required.

Mitigation Measures

The IEUA has determined that the proposed project would have a potentially significant impact as a result of the emissions generated by the development proposed CBP facilities. Mitigation measures to reduce the impact to below a level of potential significance are provided below.

AQ-1: ***IEUA shall require its contractor(s) to use off-road equipment that meets the U.S. EPA certified Tier 4 Final engines or engines that are certified to meet or exceed the emission ratings for U.S. EPA Tier 4 Final or Interim engines such that average daily nitrogen oxide (NO_X) emissions are verified to be below the SCAQMD regional significance threshold of 100 pounds per day.***

IEUA finds that implementation of the above measure would reduce potential adverse impacts associated with the generation of emissions during construction of the proposed CBP facilities. The above measure can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the proposed facilities that will be constructed without additional impacts on the environment. Since the proposed project, as analyzed above will not cause significant adverse impact to air quality, implementation of the CBP is not forecast to result in any unavoidable project specific or cumulative adverse impacts to air quality.

4. Biological Resources: Impacts under Biological Resources, checklist questions "a," "b," "d," and "f" are significant and cannot be mitigated to a level of insignificance. The discussion of this specific issue under Biological Resources is located below in Section F of this document. The checklist questions under Biological Resources that can be mitigated to a level of less than significant are as follows:

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-100 to 4-102, FPEIR)

Facts: Based on the background review and subsequent windshield surveys, numerous jurisdictional waters occur in the Study Area where the CBP will be implemented. Many of the jurisdictional waters (built waterways) are heavily managed by local agencies, which serve public water needs, flood control, and agricultural production. As a result, some of these jurisdictional waters support few natural biological functions and values.

Direct impacts on natural and man-made features include the removal or modification of local hydrology, the redirection of flow, and the placement of fill material. In the case of man-made features, these impacts would remove or disrupt the limited biological functions that these features provide. In natural areas, these activities would remove or disrupt the hydrology, vegetation, wildlife use, water quality conditions, and other biological functions provided by the resources.

Temporary impacts on jurisdictional waters include the placement of temporary fill during construction in both man-made and natural jurisdictional waters. Temporary fill could be placed during the construction of access roads and staging/equipment storage areas. The temporary fill would result in a temporary loss of jurisdictional waters and could potentially increase erosion and sediment transport into adjacent areas.

A Jurisdictional Determination and subsequent approval of the determination by the regulatory agencies will be conducted on each facility that is determined to impact jurisdictional waters as the design becomes available and construction of a particular facility is scheduled to occur within the foreseeable future. As stated above under Biological Resources issues "a" and "b", the mitigation strategy includes avoidance of impacts on sensitive habitat to the extent possible through requiring the following: acquisition of regulatory permits and implementing subsequent mitigation that would minimize impacts related to discharge of fill or streambed alteration of jurisdictional areas (**BIO-3**); require jurisdictional water preconstruction surveys to determine the potential impacts thereof, which will inform the mitigative actions required to minimize impacts to jurisdictional waters/areas (**BIO-4**); require specific measures pertaining to water diversion to minimize impacts to jurisdictional waters during construction (**BIO-24**); and, require the continued preparation of annual Prado Basin Habitat Sustainability Monitoring Program and review of impacts thereof in subsequent environmental documents should the monitoring program suggest that habitat is adversely impacted (**BIO-25**).

With implementation of mitigation measures outlined herein, unforeseen direct impacts, indirect impacts, and temporary impacts to natural and man-made water bodies would be mitigated to a level of less than significant. As such, the CBP would have a less than significant potential to have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-102, FPEIR)

Facts: The proposed CBP will be developed within the Chino Basin including the following local jurisdictions and areas: Chino, Chino Hills, Fontana, Ontario, Rancho Cucamonga, Upland and unincorporated areas of San Bernardino County. The Basin and CBP area also include limited areas of Riverside County. As such, future CBP infrastructure facilities would be subject to various local ordinances.

One of the main concerns under this issue is the potential for the CBP to conflict with a tree preservation policy. MM **BIO-10**, which requires the maximization of the preservation of trees. Furthermore, under Aesthetics, MM **AES-3** requires the implementing agency to comply with the local jurisdiction's tree ordinance, municipal code, or other local regulations and provides subsequent requirements where a tree preservation ordinance does not exist, including completion of a second tier CEQA evaluation, to further minimize impacts thereof. Additionally, MM **LU-1** ensures that the facilities associated with the CBP are developed to minimize conflicts with adjacent land uses, which would further minimize the CBP's potential impacts to or

conflicts with any local policies or ordinances protecting biological resources. With the implementation of the above mitigation measures, as well as the entirety of the compiled mitigation designed to minimize impacts to biological resources, impacts related to the CBP's potential to result in conflicts with local ordinances would be less than significant.

Mitigation Measures

IEUA has determined that the proposed project could have a potentially significant impact on biological resources checklist items "c" and "e." Mitigation measures to reduce the impact to below a level of potential significance are provided below.

To reduce or prevent activities that may adversely affect rivers, streambeds or wetlands, the following mitigation measures will be incorporated into any specific projects and/or contractor specifications for future project-related impacts to protect sensitive resources and habitat.

BIO-3: ***Prior to discharge of fill or streambed alteration of state or federal water jurisdictional areas, IEUA shall obtain regulatory permits from the U.S. Army Corps of Engineers, local Regional Water Quality Control Board and the California Department of Fish and Wildlife as required. Any future project that must discharge fill into a channel or otherwise alter a streambed shall be minimized to the extent feasible, and any discharge of fill not avoidable shall be mitigated through compensatory mitigation. Mitigation can be provided by restoration of temporary impacts, enhancement of existing resources, or purchasing into any authorized mitigation bank or in-lieu fee program; by selecting a site of comparable acreage near the site and enhancing it with a native riparian habitat or invasive species removal in accordance with a habitat mitigation plan approved by regulatory agencies; or by acquiring sufficient compensatory habitat to meet regulatory agency requirements. Typically, regulatory agencies require mitigation for jurisdictional waters without any riparian or wetland habitat to be mitigated at a 1:1 ratio. For loss of any riparian or other wetland areas, the mitigation ratio will begin at 2:1 and the ratio will rise based on the type of habitat, habitat quality, and presence of sensitive or listed plants or animals in the affected area. A Habitat Mitigation and Monitoring Proposal shall be prepared and reviewed and approved by the appropriate regulatory agencies. IEUA will also obtain permits from the regulatory agencies (U.S. Army Corps of Engineers, Regional Water Quality Control Board, CDFW and any other applicable regulatory agency with jurisdiction over the proposed facility improvement) if any impacts to jurisdictional areas will occur. These agencies can impose greater mitigation requirements in their permits, but IEUA will utilize the ratios outlined above as the minimum required to offset or compensate for impacts to jurisdictional waters, riparian areas or other wetlands.***

BIO-4: ***Jurisdictional Water Preconstruction Surveys: A federal and state jurisdictional water preconstruction survey will be conducted at least three months before the start of ground-disturbing activities to identify and map all jurisdictional waters in the project footprint and up to a 250-foot buffer around the project footprint, subject to legal property access restrictions. The purpose of this survey is to confirm the extent of jurisdictional waters within the project footprint and adjacent up to 250-foot buffer. If possible, surveys would be performed during the spring, when plant species are in bloom and hydrological indicators are most readily identifiable. These results would then be used to calculate impact acreages and determine the amount of compensatory mitigation required to offset the loss of wetland functions and values.***

Implementation of the following mitigation measure will ensure that project design and site selection reduce impacts to sensitive biological resources to the extent feasible.

BIO-10: ***Maximize the preservation of individual oak, sycamore and walnut trees within proposed CBP Infrastructure sites. Preservation is defined within this measure as follows: existing oak, sycamore and walnut trees within a given Project site shall be retained within the site to the maximum extent feasible except where their preservation would interfere with functional and reasonable project design. Where the preservation of individual trees is not possible, IEUA shall comply with the local jurisdiction's tree ordinance, municipal code, or other local regulations. If no tree ordinance exists within the local jurisdiction, and a project will remove healthy trees as defined by a qualified arborist,***

(1) IEUA shall replace all trees removed at a 1:1 ratio, and (2) the specific location selected for a well shall avoid rock outcroppings and other scenic resources as defined in CEQA Guidelines Appendix G. If this cannot be accomplished a second tier CEQA evaluation shall be completed.

Implementation of the following mitigation measures will ensure that project construction impacts to sensitive biological resources, including the potential effects of invasive species, are reduced to the extent feasible.

BIO-24 Dewatering/Water Diversion Plan: If construction is planned to occur where there is open or flowing water, prior to the commencement of construction IEUA shall submit the Dewatering Plan prepared in coordination with the resource agencies (e.g., USACE, SWRCB/RWQCB, and CDFW, as appropriate). The Dewatering Plan shall identify how open or flowing water will be routed around construction areas, such as through the creation of cofferdams. If cofferdams are constructed, implementation of the following cofferdam or water diversion measures shall be implemented to avoid and lessen impacts on jurisdictional waters during construction:

- ***The cofferdams, filter fabric, and corrugated steel pipe are to be removed from the creek bed after completion of the project.***
- ***The timing of work within all channelized waters is to be coordinated with the regulatory agencies.***
- ***The cofferdam is to be placed upstream of the work area to direct base flows through an appropriately sized diversion pipe. The diversion pipe will extend through the Contractor's work area, where possible, and outlet through a sandbag dam at the downstream end.***
- ***Sediment-catch basins immediately below the construction site are to be constructed when performing in-channel construction to prevent silt- and sediment-laden water from entering the main stream flow. Accumulated sediments shall be periodically removed from the catch basins.***

BIO-25 Permanent Water Diversion Projects: IEUA shall continue to support preparation of the annual Prado Basin Habitat Sustainability Monitoring Program. IEUA shall conduct a second-tier CEQA evaluation for a proposed water diversion project associated with the CBP. The potential impacts to Prado Basin and sensitive habitat (for example riparian, wetland, or critical habitat) from implementation of such diversion projects shall receive public review, including pertinent wildlife management agencies and interested parties.

Two other measures are also required to minimize impacts under biological resources, though these measures (**AES-4**, and **LU-1**) are provided under their respective sections herein.

IEUA finds that implementation of the above measures would reduce potential impacts to wetlands, impacts related to compliance with local policies or ordinances pertaining to the protection of biological resources, and impacts related to compliance with applicable local ordinances. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project, as analyzed above, will not directly or indirectly cause significant adverse wetland or local policy impacts under biological resources with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable wetland or local policy impacts related to implementation of the CBP.

5. Cultural Resources

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-133 to 4-139, FPEIR)

Facts: Since the proposed project is at the programmatic level, specific locations for the proposed CBP facilities, with the exception of the AWPF at RP-4, have not been have yet to be determined. As such, where the locations of CBP facilities are unknown, impacts to specific historical, archaeological, and paleontological resources are speculative. Previously unknown and unrecorded cultural resources may be unearthed during excavation and grading activities for individual projects. If previously unknown potentially unique buried archaeological or paleontological resources are uncovered during excavation or construction, significant impacts could occur. Therefore, mitigation will be implemented that would require site-specific studies to identify potentially significant historical, archaeological, and paleontological resources. Additional studies would minimize potential impacts to historical, archaeological, and paleontological resources.

Note that, no buildings, structures, objects, sites, features, or artifacts of prehistoric or historical origin were encountered within or adjacent to RP-4 during the cultural site survey. Therefore, IEUA concurs with a finding of No Impact regarding "historical resources." No further cultural resources investigation is recommended for the project unless construction plans undergo such changes as to include areas not covered by this study. However, if buried cultural materials are discovered during earth-moving operations associated with the project, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. As such, MM **CUL-1** must be implemented to ensure impacts would be less than significant. MM **CUL-1** would exclude highly disturbed sites from requiring further cultural resource evaluation, unless IEUA is seeking additional state funding or federal funding for the project, and would require the IEUA to adhere to procedures pertaining treatment of cultural resources that may be accidentally discovered during earthmoving activities.

MM **CUL-2** would ensure that future CBP Infrastructure facilities that are located within undisturbed areas, within a site that will require substantial earthmoving activities and/or excavation, and/or IEUA is seeking State funding, will require a follow-on Phase I Cultural Resources Investigation. This mitigation measure includes several phases or steps beyond the completion of a Phase I Cultural Resources Investigation that would cover the identification, evaluation, mitigation, and monitoring associated with a given project where resources may be located. This would ensure that adequate mitigation is provided in the event that significant cultural resources are located within a given CBP Infrastructure project site.

MM **CUL-3** would ensure that, after each phase of the studies required by MM **CUL-2** has been completed, where required, a complete report on the methods, results, and final conclusions of the research procedures is prepared and submitted to SCCIC, EIC, NHMLAC, and/or SBCM. This would ensure that any discoveries are properly documented for future researchers that may seek information regarding the CBP Infrastructure project site.

It can be anticipated that projects proposed under CBP may involve modifications to or may otherwise encounter common infrastructure features that are more than 50 years of age, but have a low potential to be considered historically significant, such as existing roadways and minor, utilitarian structures serving as pumphouses or reservoirs, as well as numerous historic-period buildings that are adjacent to the project boundaries but are unlikely to receive any direct or indirect impact. A

programmatic agreement, enforced through MM **CUL-4** would outline the proper treatment of such properties in future project-specific studies, which will greatly streamline the design and completion of such studies, facilitate the State Historic Preservation Officer (SHPO) review process, and minimize potential project delays.

The potential construction impacts of the CBP Infrastructure project, in combination with other projects as a result of growth in the area, could contribute to a cumulatively significant impact to specific historical, archaeological, and paleontological resources if encountered during project construction. However, implementation of MMs **CUL-1** through **CUL-4** would minimize the contributions of CBP Infrastructure projects to this significant cumulative impact, and the project's contribution would not be cumulatively considerable.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

Finding: Less Than Significant Impact (pg. 4-139 to 4-140, FPEIR)

Facts: Given the large size of the Chino Basin, there is a potential that a given CBP Project site could be located in a sensitive area. As such, in the event that human remains are inadvertently discovered during project construction activities, the human remains could be inadvertently damaged, which could result in a significant impact. Implementation of the proposed project would comply with provisions of state law regarding discovery of human remains, including Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If human remains are accidentally exposed during site grading, Section 7050.5 of the California Health and Safety Code requires a contractor to immediately stop work in the vicinity of the discovery and notify the County Coroner, who must follow procedures to ensure the most likely descendant (MLD) has an opportunity to be consulted. Since this process is statutorily mandated, no additional mitigation is required to ensure that the impacts to human remains will be less than significant.

Mitigation Measures

IEUA has determined that the proposed project could have a potentially significant impact on unknown subsurface cultural resources. Mitigation measures to reduce the impact to below a level of potential significance are provided below.

CUL-1: ***Where a future discretionary project requiring additional CEQA review is proposed within an existing facility that has been totally disturbed due to it undergoing past engineered site preparation (such as a well site or water treatment facility site), the agency implementing the CBP project will not be required to complete a follow on cultural resources report (Phase I Cultural Resources Investigation) unless IEUA is seeking additional State or federal funding, in which case IEUA shall prepare a Phase I Cultural Resources Investigation to satisfy State CEQA-plus or federal agency requirements.***

Where a Phase I Cultural Resources Investigation is not required or has already been completed (such as at RP-4), the following shall be required to minimize impacts to any accidentally exposed cultural resource materials:

- ***Should any subsurface cultural resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an onsite inspection shall be performed immediately by a qualified archaeologist meeting the Secretary of Interior Standards for Archaeology. Responsibility for making this determination shall be with IEUA's trained onsite inspector. An archaeological professional shall assess the find, determine its***

significance, and make recommendations for appropriate mitigation measures in accordance with the State CEQA Guidelines.

CUL-2: ***Where a future discretionary project requiring additional CEQA review is proposed within an undisturbed site and/or a site that will require substantial earthmoving activities and/or excavation, and/or IEUA is seeking State or federal funding, IEUA shall complete a follow-on cultural resources report (Phase I Cultural Resources Investigation) regardless of whether IEUA is seeking State or federal funding.***

Where a Phase I Cultural Resources Investigation is required, the following phases of identification, evaluation, mitigation, and monitoring shall be followed for a given CBP Infrastructure facility:

1. ***Phase I (Identification): A Phase I Investigation to identify historical, archaeological, or paleontological resources in a project site shall include the following research procedures, as appropriate:***
   - ***Focused historical/archaeological resources records searches at SCCIC and/or EIC, depending on the project location, and paleontological resources records searches by NHMLAC, SBCM, and/or the Western Science Center in Hemet;***
   - ***Historical background research, geoarchaeological profile analysis, and paleontological literature review;***
   - ***Consultation with the State of California Native American Heritage Commission, Native American tribes in the surrounding area in accordance with AB52, pertinent local government agencies, and local historic preservation groups;***
   - ***Field survey of the project area by qualified professionals of the pertinent discipline and at the appropriate level of intensity as determined on the basis of sensitivity assessment and site conditions;***
   - ***Field recordation of any cultural resources encountered during the survey and proper documentation of the resources for incorporation into the appropriate inventories or databases.***
2. ***Phase II (Evaluation): If cultural resources are encountered in a project site and cannot be avoided, a Phase II investigation shall be required to evaluate the potential significance of the resources in accordance with the statutory/regulatory framework outlined above. A typical Phase II study consists of the following research procedures:***
   - ***Preparation of a research design to discuss the specific goals and objectives of the study in the context of important scientific questions that may be addressed with the findings and the significance criteria to be used for the evaluation, and to formulate the proper methodology to accomplish such goals;***
   - ***In-depth exploration of historical, archaeological, or paleontological literature, archival records, as well as oral historical accounts for information pertaining to the cultural resources under evaluation;***
   - ***Fieldwork to ascertain the nature and extent of the archaeological/paleontological remains or resource-sensitive sediments identified during the Phase I study, such as surface collection of artifacts, controlled excavation of units, trenches, and/or shovel test pits, and collection of soil samples;***
   - ***Laboratory processing and analyses of the cultural artifacts, fossil specimens, and/or soil samples for the proper recovery, identification, recordation, and cataloguing of the materials collected during the fieldwork and to prepare the assemblage for permanent curation, if warranted.***
3. ***Phase III (Mitigation/Data Recovery): For resources that prove to be significant under the appropriate criteria, mitigation of potential project impact is required. The first option is avoidance by selecting and implementing a CBP Infrastructure facility at an alternative site without significant cultural or paleontological resources. Depending on the characteristics of each resource type and the unique aspects of significance for each individual resource, mitigation may be accomplished through a variety of different methods, which shall be determined by a qualified archaeologist, paleontologist, historian, or other applicable professional in the "cultural resources" field. Typical mitigation for historical, archaeological, or paleontological resources, however, may focus on the following procedures, aimed mainly at the preservation of physical and/or archival data about a significant cultural resource that would be impacted by the project:***
   - ***Data recovery through further excavation at an archaeological site or a paleontological locality to collect a representative sample of the identified remains, followed by laboratory processing and analysis as well as preparation for permanent curation;***

- ***Comprehensive documentation of architectural and historical data about a significant building, structure, or object using methods comparable to the appropriate level of the Historic American Buildings Survey (HABS) and the Historic American Engineering Record (HAER) for permanent curation at a repository or repositories that provides access to the public;***
- ***Adjustments to project plans to minimize potential impact on the significance and integrity of the resource(s) in question.***

4. ***<u>Phase IV (Monitoring)</u>: At locations that are considered sensitive for subsurface deposits of undetected archaeological or paleontological remains, all earth-moving operations shall be monitored continuously or periodically, as warranted, by qualified professional practitioners. Archaeological monitoring programs shall be coordinated with the nearest Native American groups, who may wish to participate, as put forth in mitigation measures TCR-1 through TCR-3.***

CUL-3: ***After each phase of the studies required by mitigation measure CUL-2 has been completed, where required, a complete report on the methods, results, and final conclusions of the research procedures shall be prepared and submitted to South Central Coastal Information Center (SCCIC), Eastern Information Center (EIC), Natural History Museum of Los Angeles County (NHMLAC), and/or San Bernardino County Museum (SBCM), as appropriate and in addition to IEUA for the project, for permanent documentation and easy references by future researchers.***

CUL-4: ***Prior to commencement of construction of CBP Infrastructure facilities (excluding those facilities that have undergone site specific Cultural Resources Investigations, such as at RP-4), IEUA shall confer with the CBP project stakeholders to establish a programmatic agreement with SHPO that will stipulate a set of mutually accepted guidelines that address research procedures and the types of potential cultural resources that may be excluded from further consideration before CBP Infrastructure facilities are implemented, such as common infrastructure features that are more than 50 years of age, but have a low potential to be considered historically significant, such as existing roadways and minor, utilitarian structures serving as pumphouses or reservoirs, as well as numerous historic-period buildings that are adjacent to the project boundaries but are unlikely to receive any direct or indirect impact. Once this agreement has been made with SHPO, IEUA shall retain the agreement in the Project file, and shall ensure that any CBP partner agencies are given copies of the agreement for reference on future CBP Infrastructure facilities. For CBP projects that are in development prior to an agreement with SHPO, all types of cultural resources shall be considered by the professionals assessing historical resources within the project footprint; regardless, the steps provided in mitigation measure CUL-2 shall be followed to assess and minimize impacts to sensitive cultural resources within a given site.***

IEUA finds that implementation of the above measures would reduce potential impacts to unknown subsurface cultural resources to a less than significant impact level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant adverse impact related to cultural, archeological, or historical resources with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable cultural resource impacts required to support the proposed project.

6. Energy

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operations?

<u>Finding:</u> Less Than Significant Impact (pg. 4-156 to 4-159, FPEIR)

<u>Facts:</u> Construction would involve equipment and trips that are typical for the type of facilities being constructed and would not involve excessive or unnecessary consumption of fuel. Through compliance with existing applicable regulations,

construction energy consumption associated with buildout of the CBP would not be inefficient, wasteful or unnecessary. Impacts would be less than significant.

CBP facilities would be constructed in compliance with existing regulations for building energy efficiency. In addition, the CBP includes exploration of options for new, on-site energy generation facilities in the IEUA service area, such as in-conduit hydropower facilities in locations of the potable water distribution system where energy can be produced in conjunction with reducing system pressure. Finally, investment in local water supplies that offsets the need for imported water is considered to be necessary to begin to reduce the amount of energy associated with water conveyance in the State. The 2017 Scoping Plan recognizes that about two percent of the total energy used in the State is related to water conveyance. As a result, the plan calls for, "increased water conservation and efficiency, improved coordination and management of various water supplies, greater understanding of the water-energy nexus, and deployment of new technologies in drinking water treatment, groundwater remediation and recharge, and potentially brackish and seawater desalination." Therefore, given that the CBP would result in an overall net reduction in electricity consumption associated with local water supplies over the 25-year term of the proposed water transfer agreement and that CBP facilities would comply with existing applicable regulations, operational energy consumption associated with the CBP would not be inefficient, wasteful or unnecessary.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Finding: Less Than Significant Impact (pg. 4-159 to 4-161, FPEIR)

Facts: As stated above, the CBP would not obstruct the 2017 Scoping Plan. Furthermore, the IEUA Climate Change Action Plan (CCAP) sets GHG emission reduction goals for IEUA operations, some of which are related to energy efficiency and the use of renewable energy. IEUA would also explore options for using additional on-site renewable energy, such as the use of a 2.5-MW solar array at the Inland Empire Regional Composting Facility and in-conduit hydropower facilities in locations of the potable water distribution system where energy can be produced in conjunction with reducing system pressure.

The CBP includes components that intentionally lower the power demand on the electrical grid, such as the potential inclusion of in-conduit hydropower facilities at certain locations of the potable water distribution system where energy can be produced in conjunction with reducing system pressure. Furthermore, during call-years, the CBP would offset imported water from the SWP, which would save energy and preclude SWP-related energy consumption. The CBP would also incorporate the use of available on-site renewable energy sources at RP-4, including the 1-MW wind turbine and 1.5-MW battery, to supply part of the energy demand of CBP facilities, if possible. Moreover, the CBP may use energy generated by the 2.5-MW solar array at the Inland Empire Regional Composting Facility. Therefore, the CBP would support the CCAP objective to strive for carbon neutrality through implementation of renewable power generation and beneficial use of resources. Accordingly, the CBP would not conflict with the CCAP, and thus the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Cumulative growth in the Southern California Edison (SCE) service area would affect regional energy demand. SCE energy demand planning is based on future growth predictions from the General Plans of local jurisdictions. For this reason, development consistent with the applicable General Plan would also be consistent with SCE demand planning. Cumulative development within the SCE service area is not anticipated to result in a significant impact in terms of impacting energy supplies because the majority of cumulative projects would be consistent with their respective General Plans and the growth anticipated by SCE. The CBP would serve water supply needs for existing and planned water demand and would not result in or accommodate unplanned growth. Furthermore, the proposed CBP would result in a net reduction in baseline electricity consumption of approximately 116,720 MWh/year in call years, and a portion of this net reduction in electricity usage would reduce demand on regional SCE infrastructure during these call years. Therefore, the CBP, in combination with other cumulative projects, would not result in cumulatively considerable energy impacts.

Mitigation Measures

The IEUA has determined that the proposed project would have a less than significant impact as a result of the energy demanded by construction and operation of facilities associated with the CBP. No mitigation is required to minimize impacts under the issue of energy.

7. Geology/Soils

a(i). Would the project directly or indirectly cause 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.

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-171 to 4-173, FPEIR)

Facts: There are three faults delineated on the Alquist-Priolo Earthquake Fault Zoning Map within and adjacent to the Chino Basin: the Elsinore Fault Zone (Chino Fault), which crosses the western boundary of the Chino Basin; the Red Hill-Etiwanda Avenue Fault, which traverses the northern boundary of the Chino Basin; and, a segment of the Sierra Madre Fault Zone, Cucamonga Section passes through the northwestern portion of the Chino Basin. Because not all proposed CBP facility locations are determined at this time, there is the potential for projects to be constructed and operated within an Alquist-Priolo Fault Zone. Projects proposed that would be operated within these zones could expose structures to potential substantial adverse effects; therefore, mitigation is required to minimize impacts under this issue.

The implementation of MM **GEO-1** would ensure new facilities are located outside of delineated fault zones, or otherwise minimize impacts if located within a fault zone.

Ultimately, through the implementation of mitigation that would ensure that new facilities are located outside of delineated fault zones, or if located within a fault zone are analyzed thoroughly through a site-specific geotechnical report with specific design recommendations or through a second-tier CEQA evaluation, fault rupture-related impacts would be less than significant. As specific facilities are proposed in the future, the associated environmental impacts will be evaluated in a subsequent

project-specific CEQA evaluation to allow a final determination on each future project's specific impacts. Such review is appropriate and consistent with utilization of a program environmental document in accordance with CEQA Guidelines Sections 15162 and 15168.

a(ii). Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (ii) Strong seismic ground shaking?

Finding: Less Than Significant Impact (pg. 4-173 to 4-175, FPEIR)

Facts: As addressed under issue a(i) above, the Chino Basin is located within a region that is seismically active. In the event of an earthquake in Southern California, some seismic ground shaking would likely be experienced in the project area sometime during the operational life of the facilities proposed as part of the CBP. Ground shaking could result in structural damage to new facilities, which in turn could affect operation of related systems. Some of the proposed facilities are non-habitable or will only require visits on an as-needed basis; however, the CBP proposes upgrades and improvements to existing facilities, and new facilities that currently or would require full time employees on-site. Therefore, structural and mechanical failure of facilities onset by seismic ground shaking could potentially threaten the safety of on-site workers.

The structural elements of proposed CBP facilities would undergo appropriate design-level geotechnical evaluations prior to final design and construction as required to comply with the CBC. The geotechnical engineer, as a registered professional with the State of California, is required to comply with the CBC and local codes while applying standard engineering practice and the appropriate standard of care required for projects in the San Bernardino and Riverside County areas. The California Professional Engineers Act (Building and Professions Code Sections 6700- 6799), and the Codes of Professional Conduct, as administered by the California Board of Professional Engineers and Land Surveyors, provides the basis for regulating and enforcing engineering practice in California. In addition, pipelines would be constructed according to industry standards using American Water Works Association (AWWA) guidelines. Compliance with these construction and building safety design standards would reduce potential impacts associated with ground shaking to a level of less than significant.

a(iii). Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (iii) Seismic-related ground failure, including liquefaction?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-176 to 4-177, FPEIR)

Facts: Given that the locations of many of the proposed CBP facilities are presently unknown, it is possible that future CBP facilities could be located within an area with a high potential for liquefaction, as liquefaction is known to occur within the Chino Basin area. CBP facilities located on or within (underground facilities, such as pipelines) soils with a moderate to high potential for liquefaction could experience damage or failure as a result of liquefaction. Therefore, mitigation is required to minimize impacts under this issue.

The implementation of MM **GEO-1** would reduce the potential impacts from liquefaction and landslide hazards through a design level geotechnical investigation with implementation of specific design recommendations.

Ultimately, through the implementation of mitigation that would ensure that CBP facilities are analyzed thoroughly through a site-specific geotechnical report with specific design recommendations, liquefaction-related impacts would be less than significant.

a(iv). Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (iv) Landslides?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-177 4-179, FPEIR)

Facts: Landslides and mudflow hazards exist throughout the Chino Basin on steep hillsides and in creek and streambed areas. Given that the locations of many of the proposed CBP facilities are presently unknown, it is possible that future CBP facilities could be located within an area with a high potential for landslide. CBP facilities located in areas that are highly susceptible to landslide could experience damage or failure as a result of liquefaction. Therefore, mitigation is required to minimize impacts under this issue.

The implementation of MM **GEO-1** would reduce the potential impacts from liquefaction and landslide hazards through a design level geotechnical investigation with implementation of specific design recommendations.

Ultimately, through the implementation of mitigation that would ensure that CBP facilities are analyzed thoroughly through a site-specific geotechnical report with specific design recommendations, landslide-related impacts would be less than significant.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-179 to 4-181, FPEIR)

Facts: Construction activities for proposed CBP facilities such as excavation and grading could result in soil erosion during rain or high wind events. Development of the proposed CBP facilities would result in construction activities that would need to comply with South Coast Air Quality Management District (SCAQMD) Rule 403 for dust control that would ensure the prevention and/or management of wind erosion and subsequent topsoil loss. Compliance with SCAQMD Rule 403 would ensure that construction activities that generate wind-induced soil erosion are below significance thresholds.

For CBP projects that would disturb less than an acre, no Storm Water Pollution Prevention Plan (SWPPP) would be required. However, in order to prevent erosion associated with runoff from construction sites for each proposed project, the implementing agency will abide by best management practices (BMPs) to ensure that the discharge of storm runoff from construction sites does not cause erosion downstream to the discharge point. The implementation of BMPs will be enforced through mitigation. Additionally, for CBP projects that are less than one acre in size, compliance with minimum BMPs, as specified by the San Bernardino County MS4

Permit (SARWQCB, 2016), shall include erosion and sediment control BMPs for the construction site. Adherence to these conditions and to mitigation identified would ensure that potential soil erosion and loss of topsoil impacts would be minimized to less than significant.

The implementation of MM **GEO-2** would ensure that the proposed facilities associated with the CBP that are less than one acre in size would not exacerbate conditions related to erosion associated with runoff from construction sites through the implementation of BMPs.

For CBP projects that would disturb an acre or more, a SWPPP—in accordance with the requirements of the statewide Construction General Permit (CGP)—would be required. The SWPPP would identify BMPs to control erosion, sedimentation, and hazardous materials potentially released from construction sites into surface waters. Compliance with the CGP, required SWPPP, and identified BMPs would ensure soil erosion and loss of topsoil impacts would be reduced to a level of less than significant.

Ultimately, through the implementation of mitigation that would ensure that BMPs are implemented for projects that would occupy less than one acre, and through compliance with the CGP, required SWPPP, and identified BMPs, the potential for the CBP to result in substantial soil erosion or the loss of topsoil would be less than significant.

c. Would the project 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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-181 to 4-183, FPEIR)

Facts: Subsidence is the shrinking of earth material caused by natural or artificial removal of underlying support. This process occurs in poor, unconsolidated soils and poorly compacted fills. Seismically induced groundshaking, both local and regional, and heavy rainfall are naturally induced causes of subsidence. The substantial lowering of groundwater may also result in subsidence. As identified in the CBP PEIR, a portion of the Chino Basin has experienced land subsidence related to aquifer extractions. The proposed project includes a robust discussion of subsidence within the Chino Basin under Hydrology and Water Quality (Subchapter 4.11 of the CBP DPEIR), and includes mitigation to address and minimize potential for new land subsidence from CBP implementation (MM **HYD-3** and **HYD-4**). Given that the locations of many of the proposed CBP facilities are presently unknown, it is possible that any of the future CBP facilities could be located within a site with unstable soils, which could cause the facilities to experience damage or failure as a result; furthermore, groundwater pumping facilities, such as wells, could cause aquifer system compaction and land subsidence, which is known to occur within the Chino Basin. Additionally, subsidence and collapse could damage the proposed facilities and affect the safety of on-site or visiting employees. As such, mitigation is required to minimize impacts under this issue.

The implementation of MM **GEO-1** would reduce the potential impacts related to unstable soils through a design level geotechnical investigation with implementation of specific design recommendations for future CBP projects.

Ultimately, through the implementation of mitigation that would ensure that CBP facilities are analyzed thoroughly through a site-specific geotechnical report with specific design recommendations, the potential for CBP facilities to be significantly impacted through being 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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse would be less than significant.

d. Would the project 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-183 to 4-184, FPEIR)

Facts: When expansive soils swell, the change in volume can exert significant pressures on loads that are placed on them, such as loads resulting from structure foundations or underground utilities, and can result in structural distress and/or damage. Most of the Chino Basin is comprised of old alluvial fans and valley deposits, which vary in consistency. The specific soil properties of a site can vary on a small scale, and may include undetermined areas that exhibit expansive properties. Given that the location of many future CBP facilities are unknown, there is a potential that such facilities could be installed within a site containing expansive soils. As such, mitigation is required to minimize impacts under this issue.

The implementation of MM **GEO-1** would reduce the potential impacts related to expansive soils through a design level geotechnical investigation with implementation of specific design recommendations for future CBP projects.

Ultimately, through the implementation of mitigation that would ensure that CBP facilities are analyzed thoroughly through a site-specific geotechnical report with specific design recommendations, the potential for CBP facilities to experience a significant adverse effect from being located on expansive soil, as defined in Table 18 1-B of the Uniform Building Code (1994), creating substantial risks to life or property would be less than significant.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Finding: No Impact (pg. 4-184 to 4-185, FPEIR)

Facts: Implementation of proposed CBP facilities would not require the use of septic systems. The majority of facilities would be upgrades to existing infrastructure, wells, pipelines, and other water conveyance facilities that do not require septic systems. There is no planned use of on-site septic systems for the proposed project facilities. Therefore, no impact would occur related to soil suitability for septic systems.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-185 to 4-187, FPEIR)

Facts: Previous investigations in the region have identified the presence of significant paleontological resources where construction activities extend into or below the older alluvial sediment boundary. Since the proposed project is at the programmatic level, specific locations for the many CBP facilities have not been have yet to be determined. As such, impacts to specific paleontological resources are speculative. Previously unknown and unrecorded paleontological resources may be unearthed during excavation and grading activities for individual projects, which could result in significant impacts. Therefore, mitigation will be implemented to address the potential for impacting paleontological resources.

The implementation of MM **GEO-3** would require a site-specific study to identify potentially significant paleontological resources, which would minimize potential impacts to paleontological resources.

Ultimately, through the implementation of mitigation that would require a site-specific study to identify potentially significant paleontological resources, the CBP will have a less than significant impact to unique paleontological resources or unique geologic features.

Mitigation Measures

IEUA has determined that, because the Chino Basin contains substantial geological and soils-related constraints, the proposed project could experience potentially significant impact as identified in identified in Subchapter 4.8 of the FPEIR. Mitigation measures to reduce these impacts to below a level of potential significance are provided below.

GEO-1: ***Prior to construction of each improvement, a design-level geotechnical investigation, including collection of site-specific subsurface data if appropriate, shall be completed. The geotechnical evaluation shall identify all potential seismic hazards including fault rupture, and characterize the soil profiles, including liquefaction potential, expansive soil potential, subsidence, and landslide potential. The geotechnical investigation shall recommend site specific design criteria to mitigate for seismic and non-seismic hazards, such as special foundations and structural setbacks, and these recommendations shall be incorporated into the design of individual proposed projects. If the project specific geotechnical study cannot mitigate potential seismic related impacts, then the facility shall be relocated. If relocation is not possible a second tier CEQA evaluation shall be completed.***

GEO-2: ***For each well development or other CBP project that is less than one acre in size requiring ground disturbing activities such as grading, IEUA shall identify and implement best management practices (BMPs, such as hay bales, wattles, detention basins, silt fences, coir rolls, etc.) to ensure that the discharge of the storm runoff from the construction site does not cause erosion downstream of the discharge point. If any substantial erosion or sedimentation occurs as a result of discharging storm water from a project construction site, any erosion or sedimentation damage shall be restored to pre-discharge conditions.***

GEO-3: ***For project-level development involving ground disturbance, a qualified paleontologist shall be retained to determine the necessity of conducting a study of the project area(s) based on the potential sensitivity of the project site for paleontological resources. If deemed necessary, the paleontologist shall conduct a paleontological resources inventory designed to identify potentially significant resources. The paleontological resources inventory would consist of: a paleontological resource records search to be conducted at the San Bernardino County Museum and/or other appropriate facilities; a field survey or monitoring where deemed appropriate by the paleontologist; and recordation of all identified paleontological resources. Treatment of any discovered***

paleontological resources shall follow the Phasing and corresponding actions identified under MM CUL-2.

IEUA finds that implementation of the above measures would minimize geology and soils impacts to a less than significant level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant adverse impact due to onsite or offsite geotechnical hazards with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable impacts due to geotechnical hazards to structures and facilities required to support the proposed project. Refer to the Hydrology and Water Quality discussion for additional measures that address subsidence.

8. Greenhouse Gas Emissions: Impacts under Greenhouse Gas Emissions, checklist question "a" is significant and cannot be mitigated below significance levels. The discussion of this specific issue under Greenhouse Gas Emissions is located below in Section F of this document. The checklist questions under Greenhouse Gas Emissions that can be mitigated to a level of less than significant are as follows:

b. Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?

Finding: Less Than Significant Impact (pg. 4-218 to 4-219, FPEIR)

Facts: The 2017 Scoping Plan focuses primarily on reducing GHG emissions that result from mobile sources, land use development, and stationary industrial sources. The CBP would not involve a considerable increase in new vehicle trips or land use changes that would result in an increase in vehicle trips, such as urban sprawl, and it does not include new stationary industrial sources of GHG emissions. The 2017 Scoping Plan also recognizes that about two percent of the total energy consumption in California is related to water conveyance. By augmenting local water supplies, the CBP would offset energy demands associated with imported water supplies in furtherance of this goal of the 2017 Scoping Plan. Therefore, the CBP would not conflict with the 2017 Scoping Plan.

The IEUA CCAP sets GHG emission reduction goals for IEUA operation. By nature, the CBP directly supports the CCAP goals to maximize recycled water production and storage and maintain the health of the groundwater aquifer as well as the associated objectives to expand recycled water infrastructure and enhance groundwater replenishment capabilities within the Chino Basin. Operation of the CBP would result in a net reduction in GHG emissions over the 25-year term of the proposed water transfer agreements. The CBP also includes components that intentionally lower the power demand on the electrical grid, such as the potential inclusion of in-conduit hydropower facilities at certain locations of the potable water distribution system where energy can be produced in conjunction with reducing system pressure. Furthermore, during call years, the CBP would offset imported water from the SWP, which would save energy and preclude SWP-related GHG emissions. The CBP would also incorporate the use of available existing IEUA operated renewable energy sources, if possible. Therefore, the CBP would also support the CCAP objective to strive for carbon neutrality through implementation of renewable power generation and beneficial use of resources. Accordingly, the CBP would not conflict with the CCAP, and thus, the CBP would have a less than

significant potential to conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Additionally, impacts related to GHG emissions are, by definition, cumulative impacts because they affect the worldwide accumulation of GHGs in the atmosphere. Because the effects of climate change are currently occurring, the cumulative worldwide and statewide effects of GHG emissions are significant. The CBP would be consistent with many of the goals of applicable State and local plans and programs, which are designed to reduce the cumulative impact of GHG emissions. Therefore, the contribution of the CBP to cumulative impacts related to consistency with applicable plan, policy or regulation adopted for the purpose of reducing the GHG emissions would not be cumulatively considerable.

9. Hazards and Hazardous Materials

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-234 to 4-238, FPEIR)

Facts: Installation of CBP facilities can require delivery of hazardous materials (such as petroleum products) to support their installation. Long-term operation of some CBP facilities can require small quantities of hazardous materials, but typically only minimal quantities to keep equipment operating safely and efficiently. The anticipated construction activities required to develop CBP facilities will temporarily require the transport, use, and disposal of hazardous materials including gasoline, diesel fuel, hydraulic fluids, paint, and other similarly related materials. Operational activities could require the modest quantities of hazardous materials, such as chemicals like chlorine (commonly in the form of sodium hypochlorite) to treat recycled water or potable water sources prior to distribution. The FPEIR identified several measures that would ensure that the use and generation of hazardous substances in support of CBP projects does not pose a significant hazard to workers, adjacent land uses and the environment.

Several mitigation measures were identified to minimize hazards and hazardous materials impacts including those that would: ensure that applicable CBP facilities Hazardous Material's Business Plan (HMBP) incorporate best management practices designed to minimize the potential for accidental release of such chemicals; ensure that applicable CBP facilities HMBP identify the equipment and response capabilities required to provide immediate containment, control and collection of any released material (**HAZ-1 & HAZ-2**); ensure sensitive receptors will not be exposed to significant health threat by modeling the pathways of release and implementing specific measures that would minimize potential exposure to acutely hazardous materials (**HAZ-3**); ensure hazardous materials are disposed of and delivered to licensed facilities (**HAZ-4**); and, ensure the establishment of and adherence to specific thresholds of acceptable clean-up of hazardous materials (**HAZ-5**).

Ultimately, through the implementation of substantive mitigation measures to minimize the potential for the CBP to create a significant hazard to the public or the

environment through the routine transport, use, or disposal of hazardous materials, the CBP would have a less than significant impact under this issue.

b. Would the project 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-238 to 4-241, FPEIR)

Facts: Both during construction and at specific facilities, such as water treatment facilities, a potential exists for accidental release of hazardous materials. Accidental releases of hazardous materials during construction or operations are readily controlled to a less than significant level of hazard through control or remediation of the material accidentally released. Because the construction equipment can contain enough petroleum products to damage the environment or expose people to hazardous emissions, the Agency requires compliance with Best Management Practices to manage clean-up of potential spills of hazardous materials during construction. This includes the Cal/OSHA regulations provide for the proper labeling, storage, and handling of hazardous materials to reduce the potential harmful health effects that could result from worker exposure to hazardous materials. IEUA would be required to comply with all relevant and applicable federal, state and local laws and regulations that pertain to the accidental release of hazardous materials during construction of proposed facilities—such as Health and Safety Code, Section 2550 et seq.—which can reduce potential impacts to the public or the environment regarding accidental release of hazardous materials to less than significant impact. A contingency mitigation measure is provided to ensure accidental releases and any related contamination do not significantly affect the environment at facility locations (MM **HAZ-6)**.

Operation of the proposed facilities could include the storage and use of chemicals. Any storage tanks would be designed in accordance with the applicable hazardous materials storage regulations for long-term use summarized in the Regulatory Framework. The delivery and disposal of chemicals to and from water and wastewater treatment facility sites would occur in full accordance with all applicable federal, state, and local regulations. Compliance with all applicable federal, state and local regulations regarding the handling, storage, transportation, and disposal of hazardous materials, and preparation and implementation of the HMBP would reduce potential impacts to the public, employees, or the environment related to the transport, use, or disposal of hazardous materials to a less than significant impact.

Mitigation measure **HAZ-8** was identified to minimize releases and to ensure remediation of an accidental spill or discharge of hazardous material in compliance with state and local regulations. Furthermore, an HMBP must be prepared per MMs **HAZ-1** and **HAZ-2** and implemented for the proposed facility upgrades as required by the County of San Bernardino CUPA. The HMBP would minimize hazards to human health and the environment from fires, explosions, or an accidental release of hazardous materials into air, soil, surface water, or groundwater.

Ultimately, through the implementation of mitigation to minimize the potential for the CBP to 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, the CBP would have a less than significant impact under this issue.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-241 to 4-244, FPEIR)

Facts: Due to the potentially extensive nature of facilities associated with implementing the CBP, it is possible that construction of proposed facilities would occur within one-quarter mile of a school. Construction activities would use limited quantities of hazardous materials, such as gasoline and diesel fuel. IEUA is required to comply with all relevant and applicable federal, State and local laws and regulations that pertain to the release of hazardous materials during construction of proposed facilities; this and compliance with all applicable federal, State, and local regulations and MMs **HAZ-1** through **HAZ-6** would reduce potential impacts to the public or the environment regarding hazardous waste discharges or emissions within one-quarter mile of a school during construction. Impacts would be less than significant with implementation of mitigation.

Operation of proposed CBP facilities may also occur within one quarter mile of a school. As stated above under issue "b," the facilities proposed as part of the CBP may handle hazardous materials to serve water treatment operations. The established handling protocols would ensure that no significant operational impacts would occur as a result of CBP facility operations.

d. Would the project 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-244 to 4-247, FPEIR)

Facts: During construction of individual CBP facilities, it is possible that contaminated soil and/or groundwater could be encountered during excavation, thereby posing a health threat to construction workers, the public, and the environment. Within the Chino Basin the contaminated locations can be divided into two categories. First, there are known surface contaminated sites of which there are more than 100 locations and which are generally limited in area. Second, there are larger legacy contamination sites that have caused extensive groundwater contamination plumes, such as the GE Flatiron plume. Therefore, mitigation will be implemented to prevent future site-specific conflicts or impacts between CBP facilities and such sites.

The implementation of MMs **HAZ-7** and **HAZ-8** would require site-specific studies to identify known hazardous materials risks or the potential for risk related to hazardous materials. These studies would identify recommendations and cleanup measures to reduce risk to the public and the environment from development on hazardous materials sites. Implementation of MMs **HAZ-7** and **HAZ-8** would reduce potential impacts to construction workers and the public from exposure to unknown affected soils.

The groundwater Basin itself has a potential to experience impacts from surficial or groundwater hazards within the Basin, these impacts are assessed on a continuous

basis as a result of ongoing monitoring and remediation efforts. Ultimately, the groundwater quality impacts from implementing the CBP is an issue of paramount importance within the Basin, and infrastructure projects such as the CBP within the Basin must ensure that movement of the contamination plumes is contained to minimize contamination of groundwater at wells located in proximity, but outside these plumes. The analysis contained in Subchapter 4.11, Hydrology and Water Quality, determined that the proposed CBP would not result in significant movement of the groundwater plumes within the Basin. However, MM **HYD-7** addresses the plan of response by Watermaster and the IEUA should the Basin conditions come to vary from the projections that have been modeled as part of the CBP planning. If Watermaster determines that the CBP operations may result in significant impacts to the movement of the plumes, Watermaster will require that the IEUA implement mitigation (enforced through MM **HYD-7**) to reduce their impacts to less than significant levels. Therefore, impacts to the public or the environment related to hazardous materials sites would be less than significant.

e. Would the project, 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-247 to 4-250, FPEIR)

Facts: The following three airports are located within the Chino Basin boundaries: Chino Airport, LA/Ontario International Airport, and Cable Airport in Upland. There are no private airstrips located within the Chino Basin. Most proposed facility locations have not yet been determined, and therefore, have the potential to be within an airport land use plan, which in turn could result in a safety hazard to airport flight patterns, light, or navigation resulting in a significant impact. If a location within a safety zone is required compliance with mitigation can reduce potential environmental impacts to a less than significant level.

The implementation of MM **HAZ-9** would ensure compliance with the appropriate airport land use plan and coordination with the appropriate airport management agencies to ensure safety for people residing or working within the project area. Implementation of MM **HAZ-9** would reduce potential impacts from development within an airport safety zone to a less than significant impact.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-250 to 4-252, FPEIR)

Facts: Major evacuation routes are located within the Chino Basin along major interstates, freeways and major north-south and east-west roads. The proposed project activities and facilities have no potential to permanently impact emergency evacuation plans or emergency response plans over the long-term. In the short-term, construction activities related to pipeline and other infrastructure system improvements located within existing road rights-of-way have a potential to interfere with such plans. Mitigation measures **TRAN-1** and **WF-1** would be required to minimize impacts related to emergency access during construction. Operation of the proposed facilities would not impair or physically interfere with an adopted

emergency response plan or emergency evacuation plan. Maintenance activities would require minimal trips and would not significantly impact the surrounding roadways.

The implementation of MMs **TRAN-1** and **WF-1**, identified under Subchapters 4.18 and 4.21, respectively, would require the preparation of a Transportation Management Plan with comprehensive strategies to reduce potential disruption to emergency evacuation or an emergency response plan. Therefore, potential significant impacts to emergency access and evacuation would be reduced to a less than significant level.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-252 to 4-254, FPEIR)

Facts: The highly urbanized portion of the Chino Basin has been designated by CAL FIRE as outside of the very high FHSZ. This is shown on the attached wildland FHSZ maps. Almost all "high" or "severe" wildland FHSZs are located on the edges of the Chino Basin, or adjacent to isolated hills (Jurupa Hills) that interrupt the slope of the Chino Basin alluvial fan. The proposed CBP facilities would generally not expose people or structures to a significant risk of loss, injury or death involving wildland fires. The use of spark-producing construction machinery within a fire risk area could create hazardous fire conditions and expose people or structures to wildfire risks. If CBP facilities must be installed within high or severe fire hazard areas, a potential exists to cause a significant wildfire hazard; therefore, MM **WF-2** is required to address this circumstance and reduce the impact to a less than significant level.

During operation, the proposed facilities would distribute recycled, imported, and treated water throughout the project area, and these facilities would not be constructed of flammable materials or involve any spark-producing activities. However, many of the ancillary facilities will be supplied and operate on electricity. Therefore, MM **WF-2** must be implemented to minimize fire hazards at proposed CBP facilities in high and very high fire severity zones.

The implementation of MM **WF-2** would require the preparation of a fire management plan/fuel modification plan for CBP infrastructure proposed within very high FHSZs, and it would identify comprehensive strategies to reduce fire potential during construction and over long-term operation. Therefore, potential significant impacts due to installation of proposed CBP infrastructure would be reduced to less than significant level with implementation of MM **WF-2**.

Mitigation Measures

IEUA has determined that the proposed project could create significant health hazards or exposure to such hazards from construction and occupancy of the future CBP facilities. Mitigation measures to reduce this impact to below a level of potential significance are provided below.

HAZ-1: ***For CBP facilities that handle hazardous materials or generate hazardous waste, the Hazardous Materials Business Plan prepared and submitted to the Certified Unified Program Agency shall incorporate best management practices designed to minimize the potential for accidental release of such chemicals and shall meet the standards required by California law for Hazardous Materials***

Business Plans. The facility managers shall implement these measures to reduce the potential for accidental releases of hazardous materials or wastes. The Hazardous Materials Business Plan shall be approved prior to operation of the given facility.

HAZ-2: ***The Hazardous Materials Business Plan shall assess the potential accidental release scenarios and identify the equipment and response capabilities required to provide immediate containment, control, and collection of any released hazardous material. Prior to issuance of the certificate of occupancy, each facility shall ensure that necessary equipment has been installed and training of personnel has occurred to obtain sufficient resources to control and prevent the spread of any accidentally released hazardous or toxic materials.***

HAZ-3: ***Prior to occupancy of any site for which storage of any acutely hazardous material will be required, such as chlorine gas, modeling of pathways of release and potential exposure of the public to any released hazardous material shall be completed and specific measures, such as secondary containment, shall be implemented to ensure that sensitive receptors will not be exposed to significant health threats based on the toxic substance involved.***

HAZ-4: ***All hazardous materials during both operation and construction of CBP facilities shall be delivered to a licensed treatment, disposal, or recycling facility and be disposed of in accordance with State and federal law.***

HAZ-5: ***Before determining that an area contaminated as a result of an accidental release during project operation or construction is fully remediated, specific thresholds of acceptable clean-up shall be established and sufficient samples shall be taken and tested within the contaminated area to verify that these clean-up thresholds have been met in compliance with State and federal law.***

HAZ-6: ***All accidental spills or discharge of hazardous material during construction activities shall be reported to the Certified Unified Program Agency and shall be remediated in compliance with applicable federal, State, and local regulations regarding cleanup and disposal of the contaminant released. The contaminated waste shall be collected and disposed of at a licensed disposal or treatment facility. This measure shall be incorporated into the Stormwater Pollution Prevention Plan (SWPPP) prepared or each future facility developed under the CBP. Prior to accepting the site as remediated, the area contaminated shall be tested to verify that any residual concentrations meet the standard for future residential or public use of the site.***

HAZ-7: ***Prior to final site selection for future CBP facilities, IEUA shall obtain a Phase I Environmental Site Assessment (ESA) for the selected site. If a site contains contamination, the agency shall either avoid the site by selecting an alternative location or shall remove any contamination at the site (remediate) to a level of concentration that eliminates hazard to employees working at the site and that will not conflict with the installation and future operation of the facility. For sites located on agricultural land, this can include soil contaminated with unacceptable concentrations of pesticides or herbicides that shall be remediated through removal or blending to reduce concentrations below thresholds of significance established for the particular pesticide or herbicide in compliance with State and federal law.***

HAZ-8: ***Should an unknown contaminated site be encountered during construction of CBP facilities, all work in the immediate area shall cease; the type of contamination and its extent shall be determined; and the local Certified Unified Program Agency or other regulatory agencies (such as the DTSC or Regional Board) shall be notified. Based on investigations of the contamination, the site may be closed and avoided or the contaminant(s) shall be remediated to a threshold acceptable to the Certified Unified Program Agency or other regulatory agency threshold and any contaminated soil or other material shall be delivered to an authorized treatment or disposal site.***

HAZ-9: ***Prior to finalizing site selection of a CBP facility within an airport safety zone, input from the affected airport management entity shall be solicited. For projects within airport safety zones, facility design shall follow the guidelines of the appropriate airport land use compatibility plan. If a potential conflict with an airport land use compatibility plan is identified, IEUA shall relocate the facility outside the area of conflict, or if the site is deemed essential, IEUA shall propose an alternative design that reduces any conflict to a less than significant level of conflict. As an example, a pump station or reservoir could be installed below ground instead of above ground.***

HYD-7: ***Watermaster shall periodically review current and projected Basin conditions and shall compare this information to the projected Basin conditions assumed in the evaluation of the CBP Storage and Recovery Program application process, compare the projected CBP operations to actual operations. Watermaster shall then make findings regarding the efficacy of the mitigation program and requirements required herein and by the CBP storage agreement. Based on Watermaster's review and subsequent findings, where applicable, Watermaster shall require changes and/or modifications in the CBP storage agreement that will adequately mitigate MPI and related adverse impacts including but not limited to pumping sustainability, net recharge and safe yield, subsidence, hydraulic control, and groundwater quality.***

TRAN-1 ***Prepare and Implement Construction Transportation Management Plan***
A construction Transportation Management Plan (TMP) shall be developed and implemented by IEUA in coordination with the respective jurisdictions, SBCTA, and/or other relevant parties during construction of the proposed project. The TMP shall conform to Caltrans' Transportation Management Plan Guidelines and shall include but is not limited to:

Construction Traffic Routes and Staging Locations: ***The TMP shall identify construction staging site locations and potential road closures, alternate routes for detours, and planned truck routes for construction-related vehicle trips, including but not limited to haul trucks, material delivery trucks, and equipment delivery trucks. It shall also identify alternative safe routes and policies to maintain safety along bicycle and pedestrian routes during construction. Construction vehicle routes shall avoid local residential streets and avoid peak morning and evening commute hours to the maximum extent practicable. Staging locations, alternate detour routes, and construction vehicle routes shall avoid other active construction projects within 0.25 mile of the project construction sites to the maximum extent practicable.***

Damage Repair: ***The TMP shall include the following requirements to minimize damage to the existing roadway network:***

- ***A list of precautionary measures to protect the existing roadway network, including but not limited to pavements, curbs, gutters, sidewalks, and drainage structures, shall be outlined. The construction contractor(s) shall be required to implement these measures throughout the duration of construction of the water conveyance pipelines.***
- ***The roadway network along the proposed water distribution alignment(s) shall be surveyed prior to the start of project construction activities, and existing roadway conditions shall be summarized in a brief report.***
- ***Any damage to the roadway network that occurs as a result of project construction activities shall be noted, and IEUA or its contractors shall repair all damage.***

Coordination with Emergency Services: ***The TMP shall include requirements to notify local emergency response providers, including relevant police and sheriff departments, ambulance services, and paramedic services at least one week prior to the start of work within public rights-of-way if lane and/or road closures are required. To the extent practicable, the duration of disruptions/closures to roadways and critical access points for emergency services shall be minimized.***

Coordination with Active Transportation Facilities: ***The TMP shall require coordination with owners/operators of any affected active transportation facilities to minimize the duration of disruptions/closures to bike paths, pedestrian trails, and adjacent access points.***

Coordination with SBCTA: ***If the proposed project affects access to existing transit stops, the TMP shall also include temporary, alternative transit stops and directional signage, as determined in coordination with SBCTA and Metrolink.***

Coordination with Caltrans: ***If the proposed project requires lane and/or road closures of State highways or State highway ramps, the TMP shall require coordination with Caltrans to ensure the TMP conforms with Caltrans' Transportation Management Plan Guidelines.***

Coordination with Nearby Construction Sites: ***The TMP shall identify all active construction projects within 0.25 mile of project construction sites and require coordination with the applicants and/or contractors of these projects during all phases of construction regarding the following:***

- ***All temporary lane and/or roadway closures shall be coordinated to limit overlap of roadway closures***

- ***All major deliveries and haul truck trips shall be coordinated to limit the occurrence of simultaneous deliveries and haul truck trips***
- ***IEUA, its contractor(s), or its representative(s) shall meet on a regular basis with the applicant(s), contractor(s) or their representative(s) of active construction projects within 0.25 mile of the project construction sites during construction to address any outstanding issues related to construction vehicles.***

Transportation Control and Safety: ***The TMP shall provide for roadway vehicle control measures including flag persons, warning signs, lights, barricades, cones, and/or detour routes to provide safe passage of vehicular, bicycle, and pedestrian circulation and access by emergency responders.***

Plan Approval: ***The TMP shall be submitted to SBCTA and the respective city community development departments for review and approval.***

WF-1*:* ***Prior to initiating construction of proposed facilities within public rights-of-way (ROW), IEUA shall prepare and implement a Traffic Control Plan that contains comprehensive strategies for maintaining emergency access during construction. Strategies shall include, but are not limited to, maintaining steel trench plates at the construction sites to restore access across open trenches, flag persons and related assets to manage the flow of traffic, and identification of alternate routing around construction zones, where necessary. In addition, police, fire, and other emergency service providers (local agencies, Caltrans, and other service providers) shall be notified of the timing, location, and duration of the construction activities and the location of detours and lane closures. IEUA shall ensure that the Traffic Control Plan and other construction activities are consistent with the San Bernardino County Operational Area Emergency Response Plan, and are reviewed and approved by the local agency with authority over construction within the public ROW****.***

WF-2: ***Prior to construction of facilities located in areas designated as High or Very High Fire Hazard Severity Zones (FHSZs) by CAL FIRE, fire hazard reduction measures shall be incorporated into a fire management plan/fuel modification plan for the proposed facility, and shall be implemented during construction and over the long-term for protection of the site. These measures shall address all staging areas, welding areas, or areas slated for development that are planned to use spark-producing equipment. These areas shall be cleared of dried vegetation or other material that could ignite. Any construction equipment that can include a spark arrestor shall be equipped with a spark arrestor in good working order. During the construction of the project facilities, all vehicles and crews working at the project site shall have access to functional fire extinguishers and related fire prevention equipment (such as emergency sand bags, etc.) at all times. In addition, construction crews shall have a spotter during welding activities to look out for potentially dangerous situations, including accidental sparks. This plan shall be reviewed by the IEUA and provided to CAL FIRE for review and comment, where appropriate, and approved prior to construction within high and very high FHSZs and implemented once approved. The fire management plan shall also include sufficient defensible space or other measures at a facility site located in a high or very high FHSZ to minimize fire exposure and damage to a level acceptable to the IEUA over the long-term.***

IEUA finds that implementation of the above measures would minimize hazards and hazardous materials impacts to a less than significant level. The above measures can be implemented without causing additional adverse environmental impacts. Though the CBP would have a potential to result in some adverse hazard or hazardous material impacts as a result of implementing the project, specific mitigation measures have been identified to reduce potential project specific and cumulative (direct and indirect) effects to a less than significant impact level for hazards and hazardous material issues. Thus, the project is not forecast to cause any unavoidable significant adverse hazards or hazardous material impacts.

8. Hydrology and Water Quality

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-279 to 4-282, 4-289 to 4-294, FPEIR)

Facts: Some of the source water for the CBP is anticipated to be recycled water that is currently discharged to the Santa Ana River or its tributaries. The CBP discharge scenario reduces wastewater discharges to the Santa Ana River by about 16,000 AFY compared to the baseline discharge scenario throughout the program period (the 25-year period of 2029 through 2053). An additional 1,000 AFY is necessary to facilitate the CBP, which is assumed to come from reduced demand of wastewater for direct use.

The results indicated that the diversions of wastewater for the CBP will, in most years, result in higher TDS concentrations in the SAR at below Prado Dam, potentially causing a violation of the Reach 3 TDS objective. The significance of the CBP's projected increase of the Reach 3 TDS concentration of about 32 mgl depends on the background TDS conditions in Reach 3 of the SAR. The Santa Ana Watershed Project Authority's annual monitoring data indicates that the Reach 3 TDS was violated in three of the past four reported years (2017, 2018, and 2020; the 2021 report is expected in mid-2022). Prior studies have shown that the IEUA's wastewater discharges dilute the higher-TDS base flow in Reach 3. As of this writing, there have been no actions or changes to the wasteload allocations to address these exceedances. Furthermore, the predictive scenarios in the 2017 Wasteload Allocation Model indicate that violations of the Reach 3 TDS objective are not expected to occur under the "maximum likely" wastewater discharge conditions but would occur under the "most likely" and "minimum expected" wastewater discharge conditions. None of these scenarios include the CBP. Given the recent and projected exceedances of the Reach 3 TDS objective without the CBP, it is unlikely that the CBP will be the sole cause of an exceedance of the Reach 3 TDS objective. IEUA will continue to ensure that it meets its future discharge requirements and wasteload allocations when conducting the CBP.

Based on the assumptions incorporated into the CBP diversion scenarios (e.g., expected value hydrology, upstream wastewater discharges), the reductions in SAR discharge at below Prado Dam will not cause a violation of the base flow obligation at Prado. Thus, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface quality.

The impacts of the CBP on water quality are projected to be less than significant. However, MM **HYD-7** addresses the plan of response by the Watermaster and the IEUA should the Basin conditions come to vary from the projections that have been modeled as part of the CBP planning. This measure would enable the Watermaster to modify previously agreed upon mitigation measures to address actual Basin conditions and apply these measures to the CBP allowing for flexibility in how the Watermaster approaches minimizing the groundwater issues outlined herein to below significance levels. Furthermore, as part of the Watermaster's review of the IEUA's Storage and Recovery Program application for the CBP, the effects of the CBP operations on the movement of major contaminant plumes in the Chino Basin will be re-assessed. If the Watermaster determines that the CBP operations may result in significant impacts to the movement of the plumes, the Watermaster will require the IEUA to implement mitigation (enforced through MM **HYD-7**) to reduce their impacts to less than significant levels.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-196 to 4-201, FPEIR)

Facts: The groundwater level impacts are spatially varying, and they are embedded in the impact assessment for new land subsidence and pumping sustainability.

The CBP scenarios analyzed are projected to cause changes in storage and net recharge throughout the program period. The early call scenarios are projected to cause an increase in net recharge, and the late call scenarios are projected to cause a decrease in net recharge. As mentioned earlier, one way to mitigate the induced reduction in net recharge due to the late call scenarios is to reduce the takes by the amount of reduced net recharge. Not addressing the induced reduction in net recharge due to the late call scenarios will reduce the Safe Yield allocated to the Appropriative Pool parties, cause overdraft, or both, and will increase the risk of pumping sustainability challenges.

No CBP scenarios are projected to affect the direction or speed of the VOC plumes in the Chino Basin. The modeled travel times of the injected water in the CBP are projected to meet the Title 22 requirements for the recharge of treated wastewater.

The Watermaster will periodically review current and projected Basin conditions, compare this information to the projected Basin conditions assumed in the evaluation of the IEUA's Storage and Recovery Program application for the CBP, and compare the projected CBP operations to actual CBP operations. The Watermaster will then make findings regarding the efficacy of the mitigation program and requirements included herein and by the CBP storage agreements. Based on the Watermaster's review and subsequent findings, where applicable, the Watermaster will then require changes and/or modifications in the CBP storage agreements that would adequately mitigate MPI and related adverse impacts.

Based on this information, the CBP would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge and will not impede sustainable management of the Basin. Impacts would be less than significant following implementation of MMs **HYD-1** through **HYD-7**.

Pumping Sustainability

MMs **HYD-1** and **HYD-2** address impacts of the CBP related to pumping sustainability in the Chino Basin; these measures would ensure that Watermaster gathers the appropriate data to (1) determine whether the CBP operations would result in loss of pumping sustainability, and (2) respond with appropriate mitigation to minimize the potential loss of pumping sustainability that may occur from CBP operations. These measures would enable the IEUA and Watermaster to prevent adverse impacts related to pumping sustainability that may result from implementation the CBP.

Subsidence

MMs **HYD-3** and **HYD-4** address potential new subsidence within the Chino Basin; these measures would ensure that the Watermaster gathers the appropriate data to

respond (1) determine whether the CBP operations would result in new subsidence, and (2) respond with appropriate mitigation to minimize the potential for new subsidence that may occur from the CBP operations. These measures would enable the IEUA and Watermaster to prevent adverse impacts related to new subsidence that may result from implementation of the CBP.

Net Recharge and Safe Yield

MMs **HYD-5** and **HYD-6** address potential reduction in net recharge and impacts to Safe Yield within the Chino Basin due to the CBP; these measures would ensure that the Watermaster gathers the appropriate data to (1) determine whether the CBP operations would result in potential reduction in net recharge and impacts to Safe Yield, and (2) respond with appropriate mitigation to minimize the potential for a reduction in net recharge and for impacts to Safe Yield that may occur from the CBP operations. These measures would enable the IEUA and Watermaster to prevent adverse impacts related to potential reduction in net recharge and impacts to Safe Yield that may result from implementation of the CBP.

Hydraulic Control

The projected impacts of the CBP on Hydraulic Control are projected to be less than significant. However, MM **HYD-7** addresses the plan of response by Watermaster and the IEUA should the Basin conditions come to vary from the projections that have been modeled as part of the CBP planning. This measure would enable the Watermaster to modify previously agreed upon mitigation measures to address actual Basin conditions and apply these measures to the CBP allowing for flexibility in how the Watermaster approaches minimizing the groundwater issues outlined herein to below significance levels. Furthermore, as part of the Watermaster's review of the IEUA's Storage and Recovery Program application for the CBP, the effects of the CBP operations on the state of Hydraulic Control will be re-assessed. If Watermaster determines that the CBP operations may result in significant impacts to Hydraulic Control, the Watermaster will require that the IEUA implement mitigation (enforced through MM **HYD-7**) to reduce their impacts to less than significant levels.

Water Quality

The impacts of the CBP on water quality are projected to be less than significant. However, MM **HYD-7** addresses the plan of response by the Watermaster and the IEUA should the Basin conditions come to vary from the projections that have been modeled as part of the CBP planning. This measure would enable the Watermaster to modify previously agreed upon mitigation measures to address actual Basin conditions and apply these measures to the CBP allowing for flexibility in how the Watermaster approaches minimizing the groundwater issues outlined herein to below significance levels. Furthermore, as part of the Watermaster's review of the IEUA's Storage and Recovery Program application for the CBP, the effects of the CBP operations on the movement of major contaminant plumes in the Chino Basin will be re-assessed. If the Watermaster determines that the CBP operations may result in significant impacts to the movement of the plumes, the Watermaster will require the IEUA to implement mitigation (enforced through MM **HYD-7**) to reduce their impacts to less than significant levels.

General Impacts to Groundwater from CBP Implementation

As previously stated, MM **HYD-7** addresses the plan of response by the Watermaster and the IEUA should the Basin conditions come to vary from the

projections that have been modeled as part of the CBP planning. This measure would enable the Watermaster to modify previously agreed upon mitigation measures to address actual Basin conditions and apply these measures to the CBP. This allows for flexibility in how the Watermaster approaches minimizing the groundwater issues outlined herein to below significance levels.

The PEIR acknowledges that monitoring is not mitigation in and of itself, but it is essential to the Watermaster's mitigation process because it identifies the potential for a potential significant impact (MPI) that could evolve. Data indicating that a significant impact may be evolving will allow the Watermaster to initiate any of the mitigation measures outlined above that can reduce or eliminate the potential impact identified through monitoring through adaptive management. Based on this information, the project does not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

c(i). Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation onsite or offsite?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-295 to 4-299, FPEIR)

Facts: The majority of the proposed facilities would not alter the course of a stream or river; though the installation of some monitoring devices would be placed within surface water, these devices would not substantially impact the course of a stream or river due to their small size. The construction of proposed facilities would require activities that would temporarily alter each project site's existing ground surface and drainage patterns. Compliance with the CGP, SWPPP, County MS4 Permits, and BMPs enforced through mitigation provided below would minimize all construction impacts to less than significant levels. The presence of all new facilities at each project site could change permeable and impermeable surfaces and alter the direction and volume of overland flows. As such, mitigation is required.

MM **HYD-8** would require implementation of BMPs for projects of less than one acre in size that would be comparable to the requirements of the CGP and SWPPP, which are required for larger projects.

During project design, overland flows and drainage at each CBP project site would be assessed and drainage facilities would be designed such that no net increase in runoff would occur, in accordance with the Riverside and San Bernardino County MS4 Permits. As required by MM **HYD-9**, either surface runoff shall be collected and retained or a grading and drainage plan would be developed during project design and implemented to ensure no increase in offsite discharges would occur and no substantial increase in erosion or sedimentation would occur. Impacts would be less than significant with mitigation.

MM **HYD-10** would require CBP projects at existing well sites to remain within disturbed areas wherever feasible to minimize the potential for further ground disturbance at these sites, which may result in substantial siltation or erosion. MM **HYD-11** would require all disturbed areas that are not covered in hardscape or

vegetation would be revegetated or landscaped at future CBP facility sites to minimize the potential for erosion on- or off-site to an insignificant level.

The mitigation measures addressed above are required to address potential impacts related to onsite drainage at future CBP facilities. Ultimately, with implementation of these mitigation measures, the CBP would have a less than significant potential to result in substantial erosion or siltation onsite or offsite.

c(ii). Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-299 to 4-302, FPEIR)

Facts: The construction of proposed facilities would require activities that would temporarily alter each project site's existing ground surface and drainage patterns. Compliance with the CGP, SWPPP, County MS4 Permits, and BMPs enforced through mitigation provided below would minimize all construction impacts to less than significant levels. The presence of all new facilities at each project site could change permeable and impermeable surfaces and alter the direction and volume of overland flows. As such, mitigation is required to address the increased potential for flooding on- or off-site.

MM **HYD-8** would require implementation of BMPs for projects of less than one acre in size that would be comparable to the requirements of the CGP and SWPPP, which are required for larger projects. This measure would control urban runoff and thereby reduce potential on- and off-site flooding.

During project design, overland flows and drainage at each CBP project site would be assessed and drainage facilities would be designed such that no net increase in runoff would occur, in accordance with the Riverside and San Bernardino County MS4 Permits. As required by MM **HYD-9**, either surface runoff shall be collected and retained or a grading and drainage plan would be developed during project design and implemented to ensure no increase in offsite discharges would occur and no substantial increased potential on- or off-site flooding would occur. Impacts would be less than significant with mitigation.

MM **HYD-10** would require CBP projects at existing well sites to remain within disturbed areas wherever feasible to minimize the potential for further ground disturbance at these sites, which may result in on- or off-site flooding. MM **HYD-11** would require all disturbed areas that are not covered in hardscape or vegetation would be revegetated or landscaped at future CBP facility sites to minimize the potential for on- or off-site flooding to an insignificant level.

The mitigation measures addressed above are required to address potential impacts related to onsite drainage at future CBP facilities. Ultimately, with implementation of these mitigation measures, the CBP would have a less than significant potential to substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite.

c(iii). Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-302 to 4-304, FPEIR)

Facts: The construction of proposed facilities would require activities that would temporarily alter each project site's existing ground surface and drainage patterns, which could result in excess runoff. Compliance with the CGP, SWPPP, County MS4 Permits, and BMPs enforced through mitigation provided below would minimize all construction impacts to less than significant levels.

The presence of all new facilities at each project site could change permeable and impermeable surfaces and alter the direction and volume of overland flows. As such, mitigation to address implementation of a drainage management plan or otherwise retain runoff onsite for each project is required to reduce potential for CBP facilities to create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

MM **HYD-8** would require implementation of BMPs for projects of less than one acre in size that would be comparable to the requirements of the CGP and SWPPP, which are required for larger projects. This measure would control urban runoff and thereby reduce potential for substantial polluted runoff.

During project design, overland flows and drainage at each CBP project site would be assessed and drainage facilities would be designed such that no net increase in runoff would occur, in accordance with the Riverside and San Bernardino County MS4 Permits. As required by MM **HYD-9**, either surface runoff shall be collected and retained or a grading and drainage plan would be developed during project design and implemented to ensure no increase in offsite discharges would occur and no substantial contribution of runoff to area drainage systems would occur. Impacts would be less than significant with mitigation.

MM **HYD-12** is provided to ensure that brine generated by water treatment systems would be disposed of in a manner that would minimize the potential for release of polluted runoff.

The mitigation measures addressed above are required to address potential impacts related to onsite drainage at future CBP facilities. Ultimately, with implementation of these mitigation measures, the CBP would have a less than significant potential to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

c(iv). Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (iv) impede or redirect flood flows?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-304 to 4-307, FPEIR)

Facts: The construction of proposed facilities would require activities that would temporarily alter each project site's existing ground surface and drainage patterns, which could result in impeding or redirecting flood flows. Compliance with the CGP, SWPPP, County MS4 Permits, and BMPs enforced through mitigation provided below would minimize all construction impacts to less than significant levels.

The presence of all new facilities at each project site could change permeable and impermeable surfaces and alter the direction and volume of overland flows. As such, mitigation to address implementation of a drainage management plan or otherwise retain runoff onsite for each project is required to reduce potential for CBP facilities to impede or redirect flood flows. Furthermore, given that the Chino Basin contains areas that are located within flood hazard zones, the development of several facilities in a given area may, when combined, result in a substantial potential to impede or redirect flows; as such, mitigation is required to minimize impacts thereof.

During project design, overland flows and drainage at each CBP project site would be assessed and drainage facilities would be designed such that no net increase in runoff would occur, in accordance with the Riverside and San Bernardino County MS4 Permits. As required by MM **HYD-9**, either surface runoff shall be collected and retained or a grading and drainage plan would be developed during project design and implemented to ensure no increase in offsite discharges would occur and no substantial increased potential for impeding or redirecting flood flows would occur. Impacts would be less than significant with mitigation.

The Chino Basin contains several areas in the 100-year floodplain, particularly given the creeks, channels, and Santa Ana River that are within or along the boundaries of the Chino Basin. As such, MM **HYD-13** would ensure that future CBP projects located within a floodplain would be further evaluated to determine their potential to impede or redirect flood flows.

The mitigation measures addressed above are required to address potential impacts related to onsite drainage at future CBP facilities. Ultimately, with implementation of these mitigation measures, the CBP would have a less than significant potential to impede or redirect flows.

d. Would the project In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-307 to 4-310, FPEIR)

Facts: The presence of all new facilities at each project site could create a new risk for pollutants within a given site to be released as a result of inundation. As such, mitigation to address implementation of a drainage management plan or otherwise retain runoff onsite for each project is required to reduce potential for CBP facilities to risk release of pollutants from inundation. Furthermore, given that the Chino Basin contains areas that are located within flood hazard zones, the development of several facilities in a given area may, when combined, result in a substantial potential to release pollutants as a result of inundation; as such, mitigation is required to minimize impacts thereof.

As required by MM **HYD-9**, either surface runoff shall be collected and retained or a grading and drainage plan would be developed during project design and implemented to ensure that pollutants are managed on site and the potential for risk of release thereof due to inundation is minimized. Impacts would be less than significant with mitigation.

MM **HYD-12** is provided to ensure that brine generated by water treatment systems would be disposed of in a manner that would minimize the potential to release pollutants as a result of inundation. The Chino Basin contains several areas in the 100-year floodplain, particularly given the creeks, channels, and Santa Ana River that are within or along the boundaries of the Chino Basin. As such, MM **HYD-13** would ensure that future CBP projects located within a floodplain would be further evaluated to determine their potential to result in significant impacts related to flood inundation.

The mitigation measures addressed above are required to address potential impacts related to flooding and pollutant release at future CBP facilities. Ultimately, with implementation of these mitigation measures, the CBP would have a less than significant potential to risk release of pollutants due to project inundation.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-310 to 4-311, FPEIR)

Facts: The Watermaster and the IEUA are co-permittees for the Chino Basin maximum-benefit SNMP incorporated in the Basin Plan. The maximum-benefit SNMP was developed pursuant to the OBMP to enable the recharge and reuse of recycled water in the Basin. It defines the management actions that the Watermaster and IEUA must take to manage total dissolved solids (TDS) and nitrate concentrations in Chino Basin groundwater and in the IEUA's recycled water and the TDS and nitrate concentration limitations for recycled water reuse activities. The CBP will be operated such that there is no conflict with or obstruction of the Basin Plan. The Watermaster administers the Chino Basin Judgment to ensure the sustainable management of the Chino Basin. By implementing the mitigation actions that Watermaster may require to conduct the CBP, which are enforceable via MMs **HYD-1** through **HYD-7**, the IEUA will ensure that the CBP will not conflict with or obstruct implementation of the Chino Basin Judgment.

These measures would require the Watermaster to continue monitoring efforts to manage the Chino Basin, and to respond to the data gathered through these monitoring efforts with mitigation that would protect MPI and other constraints from occurring to the Chino Basin. As such, with implementation of the above mitigation, the Watermaster would be able to respond to any adverse changes in the Basin with mitigation that would minimize impacts to the Basin. Therefore, implementation of the CBP would have a less than significant potential to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Mitigation Measures

The IEUA has determined that the proposed project may adversely impact the hydrology of the Chino Basin and water quality during construction and operation. Mitigation to reduce this impact to below a level of potential significance is provided below.

HYD-1: ***Watermaster shall review the IEUA's Storage and Recovery Program application for the CBP and estimate the surface and ground water systems' response (estimate the potential for new pumping sustainability challenges). Watermaster shall then prepare a report that describes the response and potential Material Physical Injury (MPI) to the Chino Basin and shall develop mitigation requirements pursuant to MM HYD-2 to mitigate MPI caused by the CBP. The IEUA shall develop mitigation measures pursuant to these requirements established by the Watermaster; these measures shall be incorporated into its Storage and Recovery Program application. Upon approval by Watermaster, these mitigation measures shall be incorporated into the CBP storage agreement.***

HYD-2: ***To mitigate MPI caused by the IEUA's proposed Storage and Recovery Program application (as described above under HYD-1), the data gathered through Watermaster's comprehensive groundwater-level monitoring shall be used to identify potential impacts on pumping sustainability and to develop mitigation requirements to mitigate for these impacts. Potential mitigation includes, but is not limited to: (1) modifying the PUT operations and/or TAKE cycles to minimize impacts to pumping sustainability, (2) strategically increasing supplemental water recharge to mitigate loss of pumping sustainability, (3) modifying a party's affected well (lowering pump bowls), (4) providing an alternate supply to the affected party to ensure it can meet its demands, (5) a combination of (1) through (4), and (6) the implementation of a monitoring program to verify the effectiveness of the mitigation actions.***

HYD-3: ***Watermaster shall review the IEUA's Storage and Recovery Program application for the CBP and estimate the surface and ground water systems' response (estimate the potential for new land subsidence). Watermaster shall then prepare a report that describes the response and potential MPI to the Chino Basin and shall develop mitigation requirements to mitigate MPI caused by the proposed CBP. The IEUA shall develop mitigation measures pursuant to these requirements pursuant to MM HYD-4 established by the Watermaster; these measures shall be incorporated into its Storage and Recovery Program application. Upon approval by Watermaster, these mitigation measures will be incorporated into the CBP storage agreement.***

HYD-4: ***To mitigate the potential for new land subsidence caused by the IEUA's proposed Storage and Recovery Program application (as described above under HYD-3), the data gathered through Watermaster's comprehensive groundwater-level and ground-level monitoring shall be used to identify the potential for new land subsidence and to develop mitigation requirements to mitigate for these impacts. Potential mitigation includes, but is not limited to: (1) modifying the PUT operations and/or TAKE cycles to ensure the CBP does not contribute to the lowering of groundwater-levels below the new land subsidence metric, (2) providing an alternate supply to MZ-1 producers to maintain groundwater-levels above the new land subsidence metric, to the extent that the CBP affects them, (3) a combination of (1) and (2) above, and (4) the implementation of a monitoring program to verify the effectiveness of the mitigation actions.***

HYD-5: ***Watermaster shall estimate the reduction in net recharge and Safe Yield for the CBP and deduct it from water stored in the CBP storage account, which will compensate for its impact on net recharge and Safe Yield. Watermaster shall review these impacts and develop mitigation requirements for the CBP. The IEUA shall develop mitigation measures pursuant to the requirements suggested in MM HYD-6 and established by Watermaster; these measures shall be incorporated into the IEUA's Storage and Recovery Program application. Upon approval by Watermaster, these mitigation measures shall be incorporated into the CBP storage agreement.***

HYD-6: ***To mitigate reduction in net recharge and Safe Yield caused by the CBP (as described above under HYD-5), the Watermaster's comprehensive monitoring and modeling that estimates net recharge of the Chino Basin shall be used to identify potential and actual losses of net recharge and to develop mitigation requirements to mitigate impacts thereof. Potential mitigation includes, but is not limited to: (1) modifying the PUT operations and/or TAKE cycles to minimize reductions in net recharge, (2) deducting the reduction in net recharge from the IEUA's Storage and Recovery account, (3) recharge additional water to mitigate reductions in net recharge, (4) construct facilities in the southern part of the Basin to eliminate the reduction of net recharge due the CBP, (5) a combination of (1) through***

(4), and (6) the implementation of a monitoring program to verify the effectiveness of the mitigation actions.

HYD-7: Watermaster shall periodically review current and projected Basin conditions and shall compare this information to the projected Basin conditions assumed in the evaluation of the CBP Storage and Recovery Program application process, compare the projected CBP operations to actual operations. The Watermaster shall then make findings regarding the efficacy of the mitigation program and requirements required herein and by the CBP storage agreement. Based on Watermaster's review and subsequent findings, where applicable, Watermaster shall require changes and/or modifications in the CBP storage agreement that will adequately mitigate MPI and related adverse impacts including but not limited to pumping sustainability, net recharge and safe yield, subsidence, hydraulic control, and groundwater quality.

HYD-8: Prior to the commencement of construction of any CBP project that will disturb less than one acre (i.e., that is not subject to the California Construction Stormwater General Permit), IEUA shall require implementation of and construction contractor(s) shall select best management practices (BMPs) to achieve a reduction in pollutants from stormwater discharge to the maximum extent practicable during the construction of each CBP facility, and to control urban runoff after each CBP facility is constructed and is in operation. Examples of BMP(s) that would achieve a reduction in pollutants include, but are not limited to:

- ***The use of silt fences or coir rolls;***
- ***The use of temporary stormwater desilting or retention basins;***
- ***The use of water bars to reduce the velocity of stormwater runoff;***
- ***The use of wheel washers on construction equipment leaving the site;***
- ***The washing of silt from public roads at the access point to the site to prevent the tracking of silt and other pollutants from the site onto public roads;***
- ***The storage of excavated material shall be kept to the minimum necessary to efficiently perform the construction activities required. Excavated or stockpiled material shall not be stored in water courses or other areas subject to the flow of surface water; and***
- ***Where feasible, stockpiled material shall be covered with waterproof material during rain events to control erosion of soil from the stockpiles.***

HYD-9: Prior to commencement of construction of project facilities, IEUA shall be required to either:

(1) Prepare a No Net Discharge Report demonstrating that within each facility surface runoff shall be collected and retained (for use onsite) or detained and percolated into the ground on the site such that site development results in no net increase in offsite stormwater flows. Detainment shall be achieved through Low Impact Development techniques whenever feasible, and shall include techniques that remove the majority of urban storm runoff pollutants, such as petroleum products and sediment. The purpose of this measure is to remove the onsite contribution to cumulative urban storm runoff and ensure the discharge from the sites is treated to reduce contributions of urban pollutants to downstream flows and to groundwater; or, where it is not feasible to eliminate stormwater flows off of a site or where otherwise appropriate, the Watermaster and/or Implementing Agency shall:

(2) Prepare a grading and drainage plan that identifies anticipated changes in flow that would occur on site and minimizes any potential increases in discharge, erosion, or sedimentation potential in accordance with applicable regulations and requirements for the County and/or the City in which the facility would be located. In addition, all new drainage facilities shall be designed in accordance with standards and regulations. The plan shall identify and implement retention basins, best management practices, and other measures to ensure that potential increases in storm water flows and erosion would be minimized, in accordance with local requirements.

HYD-10: To minimize potential ground disturbances associated with installation and maintenance of wellhead treatment at existing wells, the equipment and treatment facilities shall be installed within or along existing disturbed easements or rights-of-way or otherwise disturbed areas, including access roads and pipeline or existing utility easements, whenever feasible.

HYD-11: For long-term mitigation of site disturbances at CBP facility locations, all areas not covered by structures shall be covered with hardscape (concrete, asphalt, gravel, etc.), native vegetation and/or man-made landscape areas (for example, grass). Revegetated or landscaped areas shall provide sufficient cover to ensure that, after a two-year period, erosion will not occur from concentrated flows (rills, gully, etc.) and sediment transport will be minimal as part of sheet flows.

HYD-12: ***All new and expanded water treatment facilities associated with the CBP shall ensure that any brine generated from the water treatment process that cannot be otherwise treated on-site is disposed of in accordance with state and local regulations—such as through disposal to a brine line (Non-Reclaimable Wastewater System, Etiwanda Wastewater Line, and Inland Empire Brine Line, etc.)—to prevent brine from being discharged into the local stormwater collection system.***

HYD-13: ***IEUA shall verify that any given CBP facility (excepting those located at existing facilities [wells, water treatment plants, etc.] and pipelines and turnouts located belowground) is located outside of the 100-year floodplain by utilizing the FEMA FIRM panels for the selected area prior to project implementation. If a given project is located outside of the 100 year floodplain, then no subsequent CEQA documentation specific to floodplains are required. However, if a project is located within the 100-year floodplain either (1) a new location outside of the 100-year floodplain shall be selected, or (2) a second tier CEQA evaluation shall be completed that would address the given project's location within the 100-year floodplain.***

IEUA finds that implementation of the above measures would minimize hydrology and water quality impacts to a less than significant level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future CBP development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant adverse impact due to the actions proposed as part of the CBP, or to the water quality of the Chino Basin with implementation of mitigation provided above, the CBP is not forecast to contribute to cumulatively considerable hydrology and water quality impacts.

9. Land Use / Planning

a. Would the project physically divide an established community?

Finding: No Impact (pg. 4-350 to 4-352, FPEIR)

Facts: The project does not propose any action that could physically divide an established community. The physical division of an established community generally refers to the construction of features such as an interstate highway, railroad tracks, or permanent removal of a means of access, such as a local road or bridge that would impact mobility within an existing community or between a community and outlying area.

The development of the AWPF at RP-4 would occur within developed sites already dedicated to wastewater treatment facilities. There are no features of the treatment facility upgrades that would create a barrier or physically divide an established community. Aboveground facilities would be integrated into the existing urban/industrial character surrounding a treatment plant. As such, there would be no impact. However, the exact locations of the proposed wellhead treatment facilities have not yet been determined, but there are no features of these treatment facilities that would create a barrier or physically divide an established community. No impacts are anticipated.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-352 to 4-354, FPEIR)

Facts: Because the precise location for future wells is presently unknown, CBP facilities may be developed across other designated land uses. Per Government Code

Section 53091, building ordinances of local cities or counties do not apply to the location or construction of facilities for the projection, generation, storage, treatment, or transmission of water or wastewater. Therefore, any project facilities that conflict with local General Plan land use designations would not be subject to a conditional use permit or general plan amendment. The IEUA would determine the most suitable locations to place facilities, taking into consideration surrounding land uses. The IEUA would coordinate directly with local agencies with jurisdiction to ensure compatibility with existing adjacent land uses. Future CBP facilities may result in land use incompatibilities with adjacent uses; therefore, mitigation is required to ensure incompatibilities are minimized.

MM **LU-1** would ensure that the facilities associated with the CBP are developed in appropriate areas, and conform with the surrounding land uses or are developed to minimize conflicts with adjacent land uses. This measure will minimize impacts below significance thresholds. For these reasons, the proposed project would result in a less than significant impact related to potential conflicts with land use plans, policies, or regulations.

Mitigation Measures

The IEUA has determined that implementation of the proposed project may result in land use conflicts. Mitigation to reduce this impact to below a level of potential significance is provided below.

LU-1: ***Following selection of sites for future CBP-related facilities, each site and associated facility shall be evaluated for potential incompatibility with adjacent existing or proposed land uses. Where future facility operations can create significant incompatibilities (lighting, noise, use of hazardous materials, traffic, etc.) with adjacent uses, an alternative site shall be selected, or subsequent CEQA documentation shall be prepared that identifies the specific project design features or mitigation measures that will be utilized to reduce potential incompatible activities or effects to below significance thresholds established in the general plan for the jurisdiction where the facility will be located.***

IEUA finds that implementation of the above measure would reduce potential land use conflicts. The above measure can be implemented without causing additional adverse environmental impacts. The above measure will be integrated into the future development activities without additional impacts on the environment. Since the proposed project, as analyzed above, will not directly or indirectly cause significant land use conflicts with implementation of mitigation, the proposed project is not forecast to contribute cumulatively to land use conflicts.

12. Mineral Resources

a. Would the project 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-359 to 4-360, FPEIR)

Facts: Much of the Chino Basin has been urbanized, resulting in very few areas containing mineral resources that are not already utilized for mining activities. However, these mineral deposits are endangered by the same urbanization that enhances their value. The only significant mineral resources that occur within or near the project area are limestone, sand and gravel, crushed rock and rip rap. The location of these resources is primarily in the Jurupa and Pedley Hills, and also near the Santa Ana

River. As such, there is a nominal potential for future CBP facilities to be located within a site containing mineral resources, which could result in the loss of available mineral resources. Thus, mitigation is required in order to minimize potential impacts thereof.

The implementation of MM **MR-1** would ensure that the proposed facilities associated with the CBP would not result in significant loss of mineral resources through either relocation, or compensation for development proposed to be located within an area containing significant mineral resources.

Through compliance with the above mitigation measure, the CBP would have a less than significant potential to 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.

b. Would the project 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-359 to 4-360, FPEIR)

Facts: The only significant mineral resources that occur within or near the project area are limestone, sand and gravel, crushed rock and rip rap. The location of these resources is primarily in the Jurupa and Pedley Hills, and also near the Santa Ana River. At the project specific level, the facilities associated with the CBP may have a very small impact on mineral resources. Some CBP facilities may be large enough to interfere with locally important mineral resources recovery sites, should these facilities be located within such sites. As such, mitigation is required to minimize potential impacts below significance thresholds.

Implementation of MM **MR-1** is sufficient to reduce the potential for impacts to mineral resources to a less than significant level through either relocation, or compensation for development proposed to be located within an area containing significant mineral resources.

Therefore, the installation and operation of CBP facilities has little potential to have a direct adverse impact on mineral resources, unless the parcel(s) selected for such facilities are within an active mining area or are designated for recovery of mineral resources. Implementation of MM **MR-1** is sufficient to reduce the potential for impacts to mineral resources to a less than significant level.

Mitigation Measures

There are—as described in Subchapter 4.13 of the FPEIR—limited mineral resources that occur in the northern portion of the Chino Basin. There is a nominal potential for future CBP facilities to be installed within a mineral resource zone. As such, mitigation has been identified to minimize mineral resource impacts.

MR-1: ***IEUA shall locate each facility proposed under the CBP outside of sites designated for the extraction of or as containing significant mineral resources (such as, located within MRZ-2 zones) or otherwise identified by the local jurisdiction as containing important mineral resources (such as, designated by the local general plan as being located within a mineral extraction related land use). Where it is not feasible to locate such facilities outside of sites designated for mineral resources, subsequent***

CEQA documentation shall be prepared to identify specific measures to mitigate the loss of mineral resources.

IEUA finds that, with implementation of this mitigation measure, the project-related mineral resource impacts would be reduced to a level of insignificance, and as such, the proposed project will not cause unavoidable significant mineral resource impacts.

13. Noise

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of a project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-392 to 4-402, FPEIR)

Facts: Construction noise attenuates rapidly with distance, especially in urban environments with intervening structures and noise sources, and construction noise generated at one CBP construction site would generally not affect the same receivers as construction noise generated at another CBP construction site if the construction sites are located more than 200 feet apart from each other. Although multiple individual projects under the CBP may be constructed simultaneously, each project under construction would not be located in such close proximity to other projects under construction. Thus, it is unlikely that the combined effects of individual projects under all project categories would result in greater construction noise impacts than those evaluated for each project category. If residential land uses are located within 100 feet of individual construction sites or if commercial land uses are located within 50 feet of individual construction sites, then individual CBP development projects could result in a potentially significant daytime construction noise impact. Therefore, implementation of MMs **NOI-1** through **NOI-3** would be required, which would reduce the impact to a less than significant level. Additionally, construction of individual projects under the CBP would also temporarily generate additional vehicle trips in the Chino Basin associated with construction workers traveling to and from construction sites, material deliveries, concrete trucks, water trucks, and soil material import/export. These additional traffic volumes would be dispersed throughout the Chino Basin on local and regional roadways in proximity to each well site. The limited number of trips would not have the potential to double traffic volumes even on low-volume local roadways. Thus, it is unlikely that individual projects implemented under the CBP would increase off-site traffic noise levels by 3 dBA. Therefore, construction traffic noise impacts would be less than significant.

Similarly, residential land uses are located within 225 feet of individual construction sites or if commercial land uses are located within 50 feet of individual construction sites where nighttime well drilling activities would occur, then individual projects under the CBP could result in a potentially significant nighttime construction noise impact. Therefore, implementation of MMs **NOI-1** through **NOI-3** would be required, which would reduce the impact to a less than significant level. No additional combined nighttime construction noise impacts would occur.

Operational noise levels associated with extraction wells with aboveground pumps may exceed the operational noise thresholds for sensitive land uses established by the local jurisdiction. As a result, implementation of Mitigation Measure **NOI-4** would be required for implementation of future CBP facilities, which would reduce impacts

to a less than significant level. Additionally, combined operational noise levels associated with individual projects under all project categories may exceed the operational noise thresholds for sensitive land uses established by the local jurisdiction. As a result, implementation of MM **NOI-4** would be required for all CBP projects with noise-generating components (i.e., extraction wells, pump stations, and wellhead treatment facilities) located within 1,000 feet of each other, which would reduce impacts to a less than significant level.

The limited number of trips would not have the potential to double traffic volumes even on low-volume local roadways. Thus, it is unlikely that individual projects implemented under the CBP would increase off-site traffic noise levels by 3 dBA. Therefore, off-site traffic noise impacts would be less than significant, and no mitigation is required. Additionally, it is unlikely that the combined effects of individual projects under all project categories would have the potential to double traffic volumes even on low-volume local roadways. As a result, it is unlikely that the CBP would increase off-site traffic noise levels by 3 dBA. Therefore, off-site traffic noise impacts would be less than significant, and no mitigation is required.

Overall, MMs **NOI-1** through **NOI-4**, which would ensure that construction noise studies are conducted for specific CBP projects; ensure that construction noise and vibration reduction measures are implemented where identified in the site specific noise study, and where project-level construction noise cannot be reduced below significance thresholds, IEUA shall seek a variance from the local noise ordinance prior to initiating construction; ensure operational noise studies are conducted for specific CBP project sites with operational noise reduction measures implemented, where applicable, and ensure that where operational noise cannot be reduced to below significance thresholds at a specific site, an alternative location is selected or subsequent CEQA documentation shall be performed, would minimize the potential for the CBP to result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of a project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-402 to 4-406, FPEIR)

Facts: At this time, individual projects that may be implemented under Project Category 1 do not have sufficient detail to allow project-level analysis of vibration impacts during construction. However, if historic sites, structures, or vibration-sensitive land uses are located within the minimum distances for drill rigs shown in Table 4.14 25, then individual projects under the CBP could result in a potentially significant daytime construction vibration impact. In addition, if nighttime well drilling occurs within 55 feet of land uses where people sleep, then individual projects under the CBP could also result in a potentially significant nighttime construction vibration impact. Therefore, implementation of MMs **NOI-5** through **NOI-7** would be required, which would reduce impacts to a less than significant level. These measures would ensure that vibration generating equipment operate outside of the minimum distances from sensitive receivers; ensure that minimal-vibration-producing equipment is used near historic structures; and, where construction must occur outside of the specified buffer distance intended to minimize construction related vibration, mitigation is

implemented, where vibration levels cannot be reduced to below significance thresholds, an alternative location is selected or subsequent CEQA documentation shall be performed.

Vibration generated at one CBP construction site would generally not affect the same receivers as vibration generated at another CBP construction site if the construction sites are located more than 120 feet apart from each other. Although multiple individual projects under the CBP may be constructed simultaneously, each project under construction would not be located in such close proximity to other projects under construction. Thus, it is unlikely that the combined effects of individual projects under all project categories would result in greater construction vibration impacts than those evaluated above for each project category. No additional construction vibration impacts would occur as a result of the combined project categories.

Operational activities associated with individual projects implemented under the CBP would not include sources of vibration, such as heavy machinery. Components such as injection, extraction, and monitoring wells, pump stations, water treatment facilities, pipelines, turnouts, and reservoirs, do not generate substantial vibration. Therefore, no operational vibration impact would occur, and no mitigation is required.

c. Would the project result in, for a project located within the vicinity of a private airstrip or 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?

Finding: Less Than Significant Impact (pg. 4-406 to 4-408, FPEIR)

Facts: Public use airports and private air strips are located within and near the Chino Basin, including the Ontario International Airport, San Bernardino International Airport, Riverside Municipal Airport, Corona Municipal Airport, Chino Airport, Cable Airport, Flabob Airport, and Brackett Field Airport. Of the known locations in which CBP facilities will be located, there are a few that will be installed within a two-mile radius of the nearest airport. At these locations, construction contractors would be required to comply with California Occupational Safety and Health Administration regulations related to worker exposure to noise. Section 5096 of these regulations sets duration-based noise exposure limits for construction workers that require provision of personal protective equipment should exposure exceed the specified limits. The requisite adherence to these regulations would reduce construction worker exposure to high noise levels such that proposed CBP construction activities would not expose employees to excessive noise levels. Therefore, construction workers would not be exposed to excessive noise levels from aircraft noise.

Some individual projects implemented under the proposed CBP may be located within two miles of a public use airport or private airstrip. However, none of the proposed CBP projects involve operation of noise-sensitive receivers, such as residences or schools, that would be exposed to excessive airport noise in the Chino Basin. Furthermore, most projects proposed under the CBP would be unmanned and would require infrequent maintenance visits that likely would not require extended exposure to aircraft noise if projects were located near airports or airstrips. IEUA would be required to comply with California Occupational Safety and Health Administration regulations related to worker exposure to noise. These regulations would reduce employee exposure to high noise levels such that operational activities

would not expose employees to excessive noise levels. Therefore, operational impacts related to aircraft noise would be less than significant, and no mitigation is required.

Mitigation Measures

The IEUA has determined that the proposed project may cause significant short- and long- term noise impacts, as well as short-term vibration impacts, and may cause significant impacts to workers at future CBP sites from airport noise. The Chino Basin contains extensive areas with noise sensitive land uses. Due to these substantial noise constraints and the installation of future noise-producing CBP facilities in locations where such noise sensitive uses may exist, a potential for significant noise impacts from implementation of the CBP. However, several mitigation measures were identified to minimize noise impacts as outlined below:

NOI-1: ***The following construction noise control practices shall be implemented at all CBP construction sites:***

- ***Construction staging and activities shall be located in areas as far as practicable from sensitive receivers or in areas where receivers can be shielded from construction noise.***
- ***Whenever practicable, construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously.***
- ***All heavy-duty stationary construction equipment shall be placed so that emitted noise is directed away from the nearest sensitive receivers.***
- ***IEUA shall provide a non-automated telephone number for local residents to call to submit complaints associated with construction noise during all phases of construction. IEUA shall maintain a log of complaints and shall address complaints to minimize noise issues for neighbors.***

NOI-2: ***Project-level construction noise studies shall be conducted for the following project activities that would exceed the screening criteria for a less than significant impact:***

- ***All projects under Project Category 1, if the center of the construction site would be located within 225 feet of residential land uses and/or within 50 feet of commercial land uses***
- ***All projects under Project Category 2, if the center of the construction site would be located within 100 feet of residential and/or commercial land uses***
- ***Wellhead treatment projects under Project Category 4, if the center of the construction site would be located within 100 feet of residential land uses and/or within 50 feet of commercial land uses***

Such noise studies shall identify the existing ambient noise levels, characterize the nearest sensitive receivers, estimate the noise levels receivers will experience during construction of individual projects, compare estimated noise levels to the daytime and/or nighttime construction noise criteria in the FTA (2018) Transit Noise and Vibration Impact Assessment Manual, outline measures that may be used to reduce noise levels, and determine the amount of noise reduction that would occur with implementation of these measures. If the individual project would be constructed concurrently with development projects located within a 0.5-mile radius of the individual project location, the noise study shall also consider the cumulative impact of construction noise on sensitive receivers. If the project-level noise study concludes that noise reduction measures are required, Mitigation Measure NOI-3 shall be implemented.

NOI-3: ***If the results of the project-level construction noise study prepared under Mitigation Measure NOI-2 determine noise reduction measures are required, noise reduction measures shall be implemented to reduce noise levels to at or below the daytime and/or nighttime construction noise criteria in the FTA (2018) Transit Noise and Vibration Impact Assessment Manual. Construction noise reduction measures may include, but would not be limited to, the use of mufflers, sound blankets/barriers, and/or enclosures; scheduling construction activities to minimize simultaneous operation of noise-producing equipment; and/or temporary accommodations for affected residents. If applicable, construction noise reduction measures shall be implemented to reduce cumulative noise levels to local jurisdiction or FTA (2018) construction noise criteria. If project-level construction noise cannot be reduced to at or below the local jurisdiction acceptable noise levels or daytime and/or nighttime***

construction noise criteria in the FTA (2018) Transit Noise and Vibration Impact Assessment Manual, IEUA shall seek a variance from the local noise ordinance prior to initiating construction.

NOI-4: ***Prior to the commencement of construction activities for individual projects with noise-generating components (i.e., extraction wells, pump stations, and wellhead treatment facilities) where sensitive receivers are located within 1,000 feet of the individual project sites, project-level operational noise studies shall be conducted. Such noise studies shall identify the ambient noise levels, characterize the nearest sensitive receivers, estimate the noise levels receivers will experience during operation of individual projects during the operational period, and compare estimated noise levels to the noise level standards of the applicable jurisdiction. If one or more other individual CBP projects with noise-generating components are proposed to be located within 1,000 feet of the individual project under evaluation, the operational noise study shall also evaluate the combined operational noise levels generated by all CBP projects within 1,000 feet of the individual project site. The operational noise study shall also outline measures that shall be implemented to reduce noise levels below the local jurisdiction's noise standards and demonstrate how implementation of these noise reduction measures would reduce noise levels below the applicable standards. Noise reduction measures may include, but would not be limited to, alternative site design, alternative orientation of noise sources, alternative equipment selection, use of sound enclosures, and construction of berms and/or barriers. Noise reduction measures shall be implemented to reduce noise levels to the noise level standards of the applicable jurisdiction. If project-level operational noise cannot be reduced to at or below the local jurisdiction acceptable noise levels, IEUA shall either (1) select an alternative site location that avoids exceeding the noise level standards of the applicable jurisdiction at the nearest sensitive receptor, or (2) undergo subsequent CEQA documentation to assess potential site-specific noise impacts from locating a future facility in close proximity to sensitive receptors.***

NOI-5: ***Whenever practicable, vibration-generating equipment including bull dozers, loaded trucks, drill rigs, vibratory rollers, and jackhammers shall operate outside the minimum distances specified in Table 4.14-25 of the draft PEIR for historic sites, other structures, and vibration-sensitive receivers during CBP construction activities. Furthermore, whenever practicable, vibration-generating equipment including bull dozers, loaded trucks, drill rigs, vibratory rollers, and jackhammers shall not be operated concurrently with vibration-generating equipment associated with cumulative development projects located within 600 feet of CBP construction sites.***

(copied here to accompany this measure)
Table 4.14-25
VIBRATION LEVEL CONTOURS DURING CONSTRUCTION ACTIVITIES

Equipment	Minimum Distance to Receiving Land Use for a Less Than Significant Impact (feet)			
	Historic Sites[1]	All Other Structures[2]	Daytime Vibration-Sensitive Land Uses[3]	Nighttime Vibration-Sensitive Land Uses[4]
Large Bull Dozer	20	15	10	55
Small Bull Dozer	5	5	5	5
Loaded Truck	20	10	10	35
Drill Rig[5]	20	15	15	55
Vibratory Roller	40	30	25	110
Jackhammer	10	5	5	25

NOI-6: ***Whenever practicable at CBP construction sites within 120 feet of historic sites, other structures, and vibration-sensitive receivers during CBP construction activities, non-vibratory rollers and small bull dozers shall be utilized instead of vibratory rollers and large bull dozers.***

NOI-7: ***If operation of construction equipment outside the specified buffer distances in Table 4.14-25 of the draft PEIR (copied and provided under NOI-5) is not practicable, a detailed study of vibration impacts shall be conducted prior to the commencement of construction for that project. Such vibration studies shall characterize the nearest historic sites, structures, and/or sensitive receivers; estimate the vibration levels receivers will experience during construction of individual projects; compare estimated vibration levels to applicable FTA (2018) Transit Noise and Vibration Impact Assessment***

Manual and Caltrans (2020) Transportation and Construction Vibration Guidance Manual (CT-HWANP-RT-20-365.01.01); standards for vibration impacts related to structural damage and human annoyance; outline any measures that may be used to reduce vibration levels; and determine the amount of vibration reduction that would occur with implementation of these measures. Vibration reduction measures may include, but would not be limited to, the use of non-vibratory equipment, vibration monitoring, repair of structural damage, the installation of wave barriers, maximization of the distance between vibratory equipment and receivers, restriction of vibration-generating activities to daytime hours, and/or temporary relocation of affected residents. Construction vibration reduction measures shall be implemented to reduce vibration levels to FTA (2018) and Caltrans (2020) construction vibration thresholds. If project-level construction vibration cannot be reduced to at or below the FTA (2018) and Caltrans (2020) construction vibration thresholds, IEUA shall either (1) select an alternative site location that avoids exceeding the FTA (2018) and Caltrans (2020) construction vibration thresholds at the nearest historic sites, structures, and/or sensitive receivers, or (2) undergo subsequent CEQA documentation to assess potential site-specific vibration impacts from locating a future facility in close proximity to historic sites, structures, and/or sensitive receivers.

If the individual project would be constructed concurrently with cumulative development projects located within a 600-foot radius of the individual project construction site, the vibration study shall also consider the cumulative impact of combined vibration levels at the nearest sensitive receivers by estimating the combined vibration levels receivers will experience during construction of individual projects and cumulative development; compare estimated vibration levels to applicable standards for vibration impacts related to structural damage and human annoyance identified by Caltrans (2020) and the FTA (2018); identify whether the individual project's contribution to any identified cumulative impact would be cumulatively considerable; outline any measures that may be used to reduce the project's contribution to combined vibration levels; and determine the amount of vibration reduction that would occur with implementation of these measures. Such measures may include, but are not limited to, the use of non-vibratory equipment, vibration monitoring, repair of structural damage, the installation of wave barriers, maximization of the distance between vibratory equipment and receivers, restriction of vibration-generating activities to daytime hours, and/or temporary relocation of affected residents. Construction vibration reduction measures shall be implemented to reduce cumulative vibration levels to Caltrans and FTA construction vibration thresholds. If cumulative construction vibration cannot be reduced to at or below the FTA (2018) and Caltrans (2020) construction vibration thresholds, IEUA shall either (1) select alternative site locations that avoid exceeding the FTA (2018) and Caltrans (2020) construction vibration thresholds at the nearest historic sites, structures, and/or sensitive receivers, or (2) undergo subsequent CEQA documentation to assess potential site-specific vibration impacts from locating a future facility in close proximity to historic sites, structures, and/or sensitive receivers.

The IEUA finds that implementation of the above measures would reduce potential construction noise impacts to a less than significant impact level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant construction noise impacts with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable noise during construction activities.

14. Population and Housing

a. Would the project 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)?

Finding: Less Than Significant Impact (pg. 4-415 to 4-416, FPEIR)

Facts: Construction of the proposed infrastructure would require temporary employment. It is reasonable to assume that the majority of the construction employment opportunities would be filled by workers living within the Chino Basin area or in close

proximity. Operation and maintenance of the majority of the proposed infrastructure would be anticipated to be provided primarily by existing IEUA employees within the Chino Basin area, although the AWPF is anticipated to require 8 new operations and maintenance staff. However, the number of new employees required would be minimal and the majority of employees are expected to be drawn from existing population within the Chino Basin. Therefore, the potential increase in new residents within the Chino Basin would be nominal.

Implementation of the proposed project would increase the resiliency and sustainability of regional water resources management within the Chino Basin area; however, it is not forecast to change land uses or otherwise create activities that could increase population or employment beyond that which is anticipated in the local jurisdictions' General Plans. Ultimately, the CBP and its implementation are one step removed from actual development and provisions of adequate water supplies in support of building-out each jurisdictions' general plan. Water does not serve as a constraint to growth and by planning and expanding water system infrastructure to meet this future demand, water purveyors are growth accommodating, not growth inducing. Thus, the CBP does not remove any existing constraint on future development, because Chino Basin water purveyors have alternative means to meet future water demands. Therefore, the implementation of the proposed project would result in less than significant impacts related to inducement of population growth.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-416 to 4-418, FPEIR)

Facts: The proposed project is not anticipated to result in displacement of housing or persons; however, given that the locations of the many of the CBP facilities are presently unknown, it is remotely possible that the development of specific facilities could adversely impact existing housing, though many of the CBP facilities will be located within existing sites utilized for water and wastewater infrastructure. Implementation of mitigation is required to ensure that the CBP's potential to displace housing or persons is fully mitigated.

MM **POP-1** would ensure that the facilities associated with the CBP that must be located on parcels containing housing would be minimized through the provision of short- and long-term housing of comparable quality, thereby minimizing impacts below significance thresholds.

Ultimately, through the implementation of mitigation, the CBP is not forecast to cause a significant displacement of existing housing or persons.

Mitigation Measures

The IEUA has determined that the proposed project may displace persons or housing, which could result in a significant impact. A mitigation measure to reduce this impact to below a level of potential significance is provided below.

POP-1: If future CBP facilities must be located on parcels occupied by existing housing and displaces that housing as a result, IEUA will assist with a relocation plan in conformance with Section 7260 et seq.

of the California Government Code ("California Relocation Assistance Law" or the "Act") to ensure that short- and long-term housing of comparable quality and value are made available to the occupant(s) prior to initiating construction of the facility.

The IEUA finds that implementation of the above measure would reduce potential for a substantial number of people to be displaced to a less than significant impact level. The above measure can be implemented without causing additional adverse environmental impacts. The above measure will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause substantial displacement of people or housing with implementation of mitigation, the CBP is not forecast to contribute to cumulatively considerable changes in population or housing during construction or operational activities.

13. Public Services

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

Finding: Less Than Significant Impact (pg. 4-435 to 4-436, FPEIR)

Facts: The proposed CBP does not include construction of new homes or businesses that would result in a direct increase in population or create a substantial number of new jobs that would result in new residents of the Chino Basin area. Operational activities associated with the proposed CBP facilities could require fire department service in the unlikely event of a hazardous materials emergency or accident/medical emergency at a given site. Although proposed CBP facilities may result in an additional demand on fire protection services, the implementation of the HMBP and/or continuation of adopted safety standards in addition to continuation of IEUA developed safety standards and operational procedures for safe transport and use of its operational and maintenance materials that are potentially hazardous, which comply with all federal, State, and local regulations, thereby minimizing the potential for the need for fire protection services. Any CBP project requiring structures will be required to meet building codes, including those related to fire protection, such as adequate fire flow. The indirect increase in population and the use of hazardous materials associated with project development would result in a nominal increase in fire protection services. As a result, no new fire protection facilities or altered facilities would be required. Impacts related to fire protection services would be less than significant.

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

Finding: Less Than Significant With Mitigation Incorporated (pg. 258-259, FPEIR)

Facts: The development of CBP facilities will not cause a significant demand for police protection services. Implementation of the proposed project is not forecast to change land uses or otherwise create activities that could increase demand for additional

police protection services beyond that which is anticipated in the local jurisdictions' General Plans. The Chino Basin area is currently served by police departments and agencies under authority of the various jurisdictions that comprise the Chino Basin. Overall levels of police service would be increased based upon the future population growth and related commercial and industrial growth within the Chino Basin. Operational activities associated with the proposed project could require police department service in the unlikely event of an emergency or trespass at a given project site. However, it is anticipated that all sites containing facilities associated with the proposed project would be fenced in and contain security lighting, which would minimize the future need for police protection from trespass. Though a significant demand for police protection services is not anticipated, mitigation is proposed to address trespass issues.

Implementation of MM **PS-1** would minimize the potential for trespass that could exacerbate police protection services. With implementation of this mitigation measure, the project-related police protection impacts would be reduced to a less than significant impact level.

c. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered govern- mental 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: Schools?

Finding: Less Than Significant Impact (pg. 4-437, FPEIR)

Facts: The development of CBP facilities will not cause a significant demand for schools. Implementation of the proposed project would increase the resiliency and sustainability of regional water resources management within the Chino Basin area. However, implementation of the proposed project is not forecast to change existing land uses or increase either the number of residential units located within the Chino Basin area or the number of students generated from the Chino Basin area beyond that anticipated in the local jurisdictions' General Plans. Operation of the proposed project is not forecast to require more than 15 additional permanent employees which would result in a nominal increase in demand for school services. School Districts in the Chino Basin area have adopted classroom loading standards (number of students per classroom) and collect development impact fees per square foot of residential, commercial, and industrial development. Because the proposed project is not forecast to change land uses, increase housing, or create activities that can increase demand for additional school capacity beyond that anticipated in the local jurisdictions' General Plans, and because there are adopted standards and development fees are collected for new development, impacts related to demand for school services would be less than significant.

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

Finding: Less Than Significant With Mitigation Incorporated (pg.4-437 to 4-440, FPEIR)

Facts: The nominal potential increase in potential new residents within the Chino Basin may contribute to a minimal increased demand for parks. Nonetheless, because the proposed project would not substantially increase the population within the Chino Basin area, the proposed project would not substantially increase use of existing parks.

There is a potential that a proposed CBP facility could be located within existing parks or facilities designated for such uses. Construction and staging areas may result in the temporary closure of parks or portions of parks. However, several parks in the Chino Basin area would be available for use. This increased use of other parks would be temporary, during construction only. Once construction is completed, parks would return to serve their original purpose, with only slightly less parkland area available for use. In addition to potential development of CBP facilities within existing parks, there is a potential for wells or other CBP facilities to be developed within a vacant site designated for park use, which would effectively minimize available designated parkland within the Chino Basin. As such, mitigation is required to ensure that, for CBP facilities located within vacant land designated for park uses, or CBP facilities larger than one acre in size within existing park facilities, additional parkland is developed to supplement the loss of this parkland or recreation facility.

Implementation of MM **PS-2** above would minimize the potential for loss of park or recreational facilities as a result of CBP projects located within facilities designated for such uses. With implementation of this mitigation measure, the project-related parks and recreation impacts would be reduced to a less than significant impact level.

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

Finding: Less Than Significant Impact (pg. 4-440, FPEIR)

Facts: The development of the CBP will not cause a significant demand for or increase in library services. The proposed project would not include construction of housing that would result in any direct increase in demand for library or other public services. Operation of the proposed project is not forecast to require more than 15 additional permanent employees. However, new employees are anticipated to come primarily from within the Chino Basin area; therefore, the project would result in only a nominal increase in demand for libraries and other public services. Implementation of the proposed project would increase the resiliency and sustainability of regional water resources management within the Chino Basin area. However, the project is not forecast to change land uses or otherwise create activities that can increase demand for library services beyond that which is anticipated in the local jurisdictions' General Plans. Libraries are currently provided by the counties and other local agencies under authority of the various jurisdictions that comprise the Chino Basin. Local agencies would increase overall levels of library service based upon the future population within their jurisdiction. The project would not substantially increase demand for library or other public services and impacts would be less than significant.

Mitigation Measures

The IEUA has determined that the proposed project has little potential to impact public facilities. However, the following mitigation measures to reduce or remove any potential impact to police services, and to parks and recreation facilities to below a level of potential significance are provided below.

PS-1: ***CBP facilities shall be fenced or otherwise have access controlled to prevent illegal trespass to attractive nuisances, such as construction sites.***

PS-2: ***CBP facilities proposed to be located within vacant parkland or CBP facilities proposed to be located within existing park or recreation facilities that would require more than one acre of disturbance shall be either (1) relocated to avoid significant impacts to parkland or (2) shall provide supplemental parkland within the corresponding jurisdiction equal or greater to the amount of parkland or recreation facilities lost as a result of implementation of the CBP facility.***

The IEUA finds that, with implementation of these mitigation measures, project-related police protection and park/recreation impacts would be reduced to a less than significant impact level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project, as analyzed above, will not directly or indirectly cause a significant adverse impact to any public services with the implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable public services.

14. Recreation

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

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-449 to 4-450, FPEIR)

Facts: The nominal potential increase in potential new residents within the Chino Basin may contribute to a minimal increased demand for parks and recreation facilities. However, because the proposed project would not substantially increase the population within the Chino Basin area, the proposed project would not substantially increase use of existing neighborhood or regional parks or other recreational facilities.

The development of CBP facilities may be located within parks or facilities designated for parks and/or recreation use. Construction and staging areas within parks and/or recreation facilities at which CBP facilities may be installed may result in the temporary closure of such facilities or portions of such facilities. However, several park and recreation facilities in the Chino Basin area would be available for use. This increased use of other park and recreation facilities would be temporary, during construction only. Once construction is completed, park and recreation facilities would return to serve their original purpose, with only slightly less land area available for such uses. In addition to CBP facility development within existing park and recreation facilities, there is a potential for CBP facilities to be developed within a vacant site designated for park use, which would effectively minimize available designated parkland within the Chino Basin. As such, mitigation is required to ensure that, for CBP facilities located within vacant land designated for park and/or recreation facility use, or for CBP facilities larger than one acre in size within existing

park and/or recreation facilities, additional parkland is developed to supplement the loss of this parkland or recreation facility.

The significance determination was less than significant with the implementation of MM **PS-2** above, as this measure would minimize the potential for loss of park or recreational facilities as a result of CBP projects located within facilities designated for such uses. As such, impacts are less than significant.

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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-450, FPEIR)

Facts: The development of CBP facilities will not involve the construction or expansion of recreational facilities. There is a potential that a proposed CBP facility could be located within parks or facilities designated for such use. Depending on the area required for the given CBP facility, an individual project could result in the removal of all or a portion of a park or recreational facility. The removal of a facility could require the construction of new park or recreational facilities elsewhere to accommodate for the loss of the existing recreational facility. As such, mitigation is required to ensure that, should loss of recreation or park facilities occur, replacement occurs resulting in impacts to recreational facilities being minimized.

Implementation of MM **PS-2** above would minimize the potential for loss of park or recreational facilities as a result of CBP projects located within facilities designated for such uses. As such, impacts are less than significant. Implementation of MM **REC-1** would ensure that, should construction of recreation or park facilities be required as a part of the CBP, subsequent CEQA documentation will be prepared to ensure that impacts are appropriately assessed and avoided or mitigated. With implementation of this mitigation measure, the project-related recreation impacts would be reduced to a less than significant impact level.

Mitigation Measures

The IEUA has determined that the proposed project has a potential to impact recreation facilities through the increase the use of existing neighborhood and regional parks or other recreational facilities and may require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. However, several mitigation measures were identified to minimize impacts to recreation/parks including those that would: minimize the potential for loss of park or recreational facilities as a result of CBP projects located within facilities designated for such uses; and, ensure that, should construction of recreation or park facilities be required as a part of the CBP, subsequent CEQA documentation will be prepared to ensure that impacts are appropriately assessed and avoided or mitigated, as demonstrated through the following mitigation measures:

MM **PS-2** under Public Services, above, is required to minimize impacts under recreation.

REC-1: IEUA shall prepare subsequent CEQA documentation for any Parks or Recreation facilities required to be developed as part of implementation of mitigation measure PS 2—i.e., in the event a CBP Facility would be result in loss of parkland or recreation facilities.

The IEUA finds that, with implementation of these mitigation measures, project-related recreation impacts would be reduced to a less than significant impact level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause substantial adverse recreation impacts with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable recreation impacts.

17. Transportation

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-460 to 4-466, FPEIR)

Facts: The implementation of improvements proposed by the CBP could result in a conflict with the circulation system. Impacts during construction would vary based on the component being installed as well as the configuration of the circulation system surrounding each of the impacted rights-of-way (development footprint), such as the proximity of intersections and whether the right-of-way is a main thoroughfare. In addition, construction equipment and materials may be staged temporarily within the public right-of-way near construction areas, which may in turn impact transit stops, bicycle, and/or pedestrian facilities. Furthermore, construction activities associated with the water conveyance pipelines could also result in accidental damage to the existing roadway network, including pavement, curbs, gutters, sidewalks, and drainage structures. As a result, construction-related transportation circulation system impacts could be potentially significant. Implementation of MM **TRAN-1**, which includes development and implementation of a Construction Transportation Management Plan, would be required to reduce impacts to a less than significant level.

Project operations would not directly or indirectly induce population growth that could generate additional roadway, transit, bicycle, or pedestrian trips that could affect the circulation system, nor would the proposed project result in a substantial addition of employees related to the proposed facilities operation. As such, project operation would not conflict with adopted SCAG RTP/SCS, San Bernardino County Long Range Transit Plan, and general plans policies, plans, or programs regarding roadways, transit, bicycle, or pedestrian facilities, because the proposed project is a water utility project rather than a land use project that could affect regional land use and transportation patterns, transit use, or local transportation policy implementation. Additionally, the proposed project would not result in other long-term circulation effects such as vehicle queue exceeding available storage, transit services or facilities disruption, or a hazardous condition that currently does not exist for pedestrians and bicyclists. Therefore, operational transportation circulation system impacts would be less than significant.

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Finding: Less Than Significant Impact (pg. 4-466 to 4-467, FPEIR)

Facts: A VMT calculation is typically conducted on a daily or annual basis, for long-range planning purposes. Construction vehicles on local roadways would be temporarily

increased during project construction due to the presence of construction vehicles and equipment. Increases in VMT from construction would be short-term, minimal, and temporary. As such, VMT standards, which are intended to monitor and address long-term transportation system impacts resulting from future development, do not apply to temporary impacts associated with construction activities.

The proposed project would not cause substantial long-term/ongoing transportation effects, because proposed project facilities, once constructed, would only require maintenance activities similar to those that occur under existing conditions and the increase in employees due to the implementation of the proposed project is forecast to result in less than an estimated 15 new employees. The Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA (2018) states, "Projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant VMT impact." The proposed project would generate less than 110 trips per day, which is the recommended screening threshold. Therefore, the proposed project would not result in a substantial addition of VMT per service population or induce additional roadway vehicle travel by increasing physical roadway capacity or adding new roadways to the network. Therefore, no construction or operational impact associated with VMT per CEQA Guidelines Section 15064.3 would occur.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous inter- sections) or incompatible uses (e.g., farm equipment)?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-467 to 4-468, FPEIR)

Facts: During construction, the proposed project could temporarily change the built configuration of intersections and roadways within the project area. Implementation of existing regulations and policies for road closures and lane detours within the cities of Chino Hills, Chino, Montclair, Upland, Ontario, Rancho Cucamonga, Fontana, Eastvale, and Rialto, and San Bernardino County or along Caltrans facilities would reduce the potential for project construction to increase hazards in the project area. However, although construction of the CBP facilities could temporarily increase the type of vehicles (i.e., trucks) that could be incompatible with predominantly automobile vehicles on local roadways, the change to the mix of vehicles would stop when project construction is completed. The potential conflicts between construction trucks and automobiles on local roadways are considered a less than significant impact through implementation of MM **TRAN-1**.

The proposed project would not include alterations to existing roadway alignments or intersections in the project area, and therefore, would not include sharp curves or unsafe designs that would increase transportation-related hazards. The proposed facilities may include new driveway access points; however, design of such driveways would be required to comply with local codes and standards for ingress and egress for the cities of Chino Hills, Chino, Montclair, Upland, Ontario, Rancho Cucamonga, Fontana, Eastvale, and Rialto, and San Bernardino County. As such, the proposed project would not create a hazardous condition that currently does not exist for motorists, transit riders, pedestrians, or bicyclists nor would it include incompatible uses for the project area. Therefore, no operational impacts related to transportation hazards would occur.

The implementation of MM **TRAN-1** would reduce the project's contribution to potential construction traffic hazard impacts to less than significant. The above measure would reduce traffic hazards by requiring all construction activities to be conducted in accordance with an approved construction TMP. As a result, implementation of MM **TRAN-1** would reduce construction transportation circulation system impacts to a less-than-significant level.

d. Would the project result in inadequate emergency access?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-468 to 4-470, FPEIR)

Facts: Project construction activities would have temporary effects on roadway vehicle flow and lane configurations at specific intersections and roadways due to potential lane and/or road closures, which would potentially impact emergency access and response times in the project area. Construction activities could also temporarily block access to some roadways and driveways that are currently used by emergency response vehicles or in emergency evacuations. Therefore, construction impacts related to emergency access would be potentially significant. Implementation of MMs **TRAN-1** and **WF-1**, which require implementation of transportation control measures and coordination with emergency response providers to minimize impacts to emergency access in the project area due to lane and/or road closures during project construction, would be required to reduce impacts to a less than significant level.

Operation of the proposed project would not block roadways or driveways, and emergency access to the proposed facilities, such as the advanced water purification facility, would be provided in accordance with applicable regulations, such as the California Fire Code, and submitted for review to the applicable local agency(ies). As such, the proposed project would provide at least two separate apparatus access roads for proposed facilities requiring regular employee presence with the fire apparatus access roads having a minimum width of 20 feet and a minimum turning radii of 25 feet inside and 45 feet outside. Therefore, operational impacts related to emergency access would be less than significant.

Mitigation Measures

The IEUA has determined that the proposed project may adversely impact the local circulation system during construction. Mitigation measures to reduce this impact to below a level of potential significance are provided below.

TRAN-1: Prepare and Implement Construction Transportation Management Plan
A construction Transportation Management Plan (TMP) shall be developed and implemented by IEUA in coordination with the respective jurisdictions, SBCTA, and/or other relevant parties during construction of the proposed project. The TMP shall conform to Caltrans' Transportation Management Plan Guidelines and shall include but is not limited to:

Construction Traffic Routes and Staging Locations: The TMP shall identify construction staging site locations and potential road closures, alternate routes for detours, and planned truck routes for construction-related vehicle trips, including but not limited to haul trucks, material delivery trucks, and equipment delivery trucks. It shall also identify alternative safe routes and policies to maintain safety along bicycle and pedestrian routes during construction. Construction vehicle routes shall avoid local residential streets and avoid peak morning and evening commute hours to the maximum extent practicable. Staging locations, alternate detour routes, and construction vehicle routes shall

avoid other active construction projects within 0.25 mile of the project construction sites to the maximum extent practicable.

<u>Damage Repair:</u> The TMP shall include the following requirements to minimize damage to the existing roadway network:

- ***A list of precautionary measures to protect the existing roadway network, including but not limited to pavements, curbs, gutters, sidewalks, and drainage structures, shall be outlined. The construction contractor(s) shall be required to implement these measures throughout the duration of construction of the water conveyance pipelines.***
- ***The roadway network along the proposed water distribution alignment(s) shall be surveyed prior to the start of project construction activities, and existing roadway conditions shall be summarized in a brief report.***
- ***Any damage to the roadway network that occurs as a result of project construction activities shall be noted, and IEUA or its contractors shall repair all damage.***

<u>Coordination with Emergency Services:</u> The TMP shall include requirements to notify local emergency response providers, including relevant police and sheriff departments, ambulance services, and paramedic services at least one week prior to the start of work within public rights-of-way if lane and/or road closures are required. To the extent practicable, the duration of disruptions/closures to roadways and critical access points for emergency services shall be minimized.

<u>Coordination with Active Transportation Facilities:</u> The TMP shall require coordination with owners/operators of any affected active transportation facilities to minimize the duration of disruptions/closures to bike paths, pedestrian trails, and adjacent access points.

<u>Coordination with SBCTA:</u> If the proposed project affects access to existing transit stops, the TMP shall also include temporary, alternative transit stops and directional signage, as determined in coordination with SBCTA and Metrolink.

<u>Coordination with Caltrans:</u> If the proposed project requires lane and/or road closures of State highways or State highway ramps, the TMP shall require coordination with Caltrans to ensure the TMP conforms with Caltrans' Transportation Management Plan Guidelines.

<u>Coordination with Nearby Construction Sites:</u> The TMP shall identify all active construction projects within 0.25 mile of project construction sites and require coordination with the applicants and/or contractors of these projects during all phases of construction regarding the following:

- ***All temporary lane and/or roadway closures shall be coordinated to limit overlap of roadway closures***
- ***All major deliveries and haul truck trips shall be coordinated to limit the occurrence of simultaneous deliveries and haul truck trips***
- ***IEUA, its contractor(s), or its representative(s) shall meet on a regular basis with the applicant(s), contractor(s) or their representative(s) of active construction projects within 0.25 mile of the project construction sites during construction to address any outstanding issues related to construction vehicles.***

<u>Transportation Control and Safety:</u> The TMP shall provide for roadway vehicle control measures including flag persons, warning signs, lights, barricades, cones, and/or detour routes to provide safe passage of vehicular, bicycle, and pedestrian circulation and access by emergency responders.

<u>Plan Approval:</u> The TMP shall be submitted to SBCTA and the respective city community development departments for review and approval.

***WF-1**: Prior to initiating construction of proposed facilities within public rights-of-way (ROW), IEUA shall prepare and implement a Traffic Control Plan that contains comprehensive strategies for maintaining emergency access during construction. Strategies shall include, but are not limited to, maintaining steel trench plates at the construction sites to restore access across open trenches, flag persons and related assets to manage the flow of traffic, and identification of alternate routing around construction zones, where necessary. In addition, police, fire, and other emergency service providers (local agencies, Caltrans, and other service providers) shall be notified of the timing, location, and duration of the construction activities and the location of detours and lane closures. IEUA shall ensure that the Traffic Control Plan and other construction activities are consistent with*

the San Bernardino County Operational Area Emergency Response Plan, and are reviewed and approved by the local agency with authority over construction within the public ROW.

The IEUA finds that implementation of the above measures would reduce potential adverse impacts to circulation and emergency access during construction and operation of the proposed roadway extension to a less than significant level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant circulation system impacts or significant conflicts with emergency access or evacuations with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable transportation system impacts.

18. Tribal Cultural Resources

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 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

b. 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 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-475 to 4-479, FPEIR)

Facts: The Gabrieleño Band of Mission Indians - Kizh Nation, Morongo Band of Mission Indians, and San Manuel Band of Mission Indians were contacted by IEUA under AB 52. The San Manuel Band of Mission Indians requested participation with the CBP CEQA process, and future projects implemented under the CBP during the AB 52 consultation period. The Gabrieleño Band of Mission Indians - Kizh Nation contacted IEUA outside of the consultation window on November 1, 2021, during the public comment period after the CBP DPEIR was published on October 28, 2021. IEUA, in a good faith partnership with the Gabrieleño Band of Mission Indians - Kizh Nation, elected to move forward with honoring the Gabrieleño Band of Mission Indians - Kizh Nation's request for its inclusion in the tribal consultation process due to the potential for encountering tribal cultural resources within the project area.

The San Manuel Band of Mission Indians expressed the following concerns: accidental exposure of subsurface cultural resources and proper management of such resources; concerns over exposure of human remains and proper management; and presence of Native American monitors during future ground disturbing activities. Through incorporation of mitigation measures provided below, IEUA concludes that the requests of the tribe will be met under the CBP umbrella.

The CBP DPEIR Tribal Cultural Resources Subchapter (4.19) provided three mitigation measures intended to be implemented as a hierarchy that would parallel the level of interest the San Manuel Band of Mission Indians would be anticipated to express given the extent of ground disturbance that exists at a given future CBP site. Given that IEUA now has two tribes interested in consulting on future CBP projects to determine whether significant tribal cultural resources are anticipated to exist at a given CBP site, IEUA modified the existing mitigation measures to ensure that the concerns expressed by both tribes are adequately addressed and impacts to tribal cultural resources would be fully mitigated.

As indicated above, the mitigation measures have been developed to implement as a hierarchy, with MM **TCR-1** being the first level of mitigation implementation for projects that would be located within existing disturbed facilities; MM **TCR-2** being the second level requiring notification of the San Manuel Band of Mission Indians and Gabrieleño Band of Mission Indians - Kizh Nation to determine whether the tribes would like to consult, and also stipulates the procedures to follow should more than one tribe request to consult, including creation of a mutually agreeable Treatment Plan should both tribes request to consult on a project; and MM **TCR-3** being the third level to be implemented requiring archaeological monitoring and testing, treatment of cultural resources, and inadvertent discoveries of human remains and/or funerary objects when the San Manuel Band of Mission Indians are the only tribe to request consultation on a given CBP project, and retention of a Native American Monitor prior to commencement of ground disturbing activities, unanticipated discovery of human remains and associated funerary objects, and procedures for burials and funerary remains when the Gabrieleño Band of Mission Indians - Kizh Nation are the only tribe to request consultation on a given CBP project. Thus, with implementation of mitigation to protect tribal cultural resources, the project would not cause significant unavoidable adverse impacts to tribal cultural resources.

Mitigation Measures

IEUA has determined that the proposed project could have a potentially significant impact on unknown subsurface tribal cultural resources. Mitigation measures to reduce the impact to below a level of potential significance are provided below.

TCR-1: ***Where a future discretionary project requiring additional CEQA review occurs within an existing facility that has been totally disturbed due to it undergoing past engineered site preparation (such as a well site, water treatment facility, or wastewater treatment plant site), IEUA shall notify the San Manuel Band of Mission Indians and Gabrieleño Band of Mission Indians – Kizh Nation, but will point out that the project falls under the CBP evaluation and that the site is fully developed. No further cultural resources or TCR investigation will be conducted unless a Tribe identifies specific TCR resources/values at such site(s).***

TCR-2: ***Where a future discretionary project requiring additional CEQA review occurs at an undisturbed site, IEUA shall notify the San Manuel Band of Mission Indians (SMBMI) and Gabrieleño Band of Mission Indians – Kizh Nation to provide the Tribes with an opportunity to consult on the project.***

If the AB 52 consultation results in a request to consult from one or more Tribe, and this request results in more than one Tribe requesting field monitoring or archaeological monitoring and testing, then IEUA, in partnership with qualified historical/archeological professional and/or in partnership with the State Historic Preservation Office Tribal Liaison (reachable at tribalaffairs@parks.ca.gov), shall work with the Tribes to determine which entity is more culturally affiliated with the specific CBP site, and thus which entity will monitor the site, as only a single Tribe's monitor(s) shall be

funded in the monitoring effort. Each of the Tribes shall be informed in the case of inadvertent discovery, and shall be contacted, and provided information regarding the nature of the find, so as to enable Tribal input in regards to significance and treatment. IEUA and Agency partners shall consult with the Tribes in a collaborative manner in order to create a Treatment Plan that is agreeable to both of the Tribes, or in the event that the discovery clearly pertains to one specific Tribe, IEUA shall collaborate with that Tribe to create a Treatment Plan that is agreeable to the specific Tribe. The Treatment Plan ultimately agreed upon shall be enforced as mitigation applicable to the specific project for which it is created. The Treatment Plan shall include enforceable mitigation measures that shall include components, such as: archaeological monitoring, actions that shall be taken should tribal cultural resources be discovered, treatment of resources should they be discovered, preservation actions for discovered resources, procedures for funerary objects and human remains, etc.

Where SMBMI is the only Tribe that expresses an interest in consulting on a future CBP project the provisions of CUL-2 through CUL-4, as well as TCR-3 PART A shall then be followed through.

Where the Gabrieleño Band of Mission Indians – Kizh Nation is the only Tribe that expresses an interest in consulting on a project, the provisions of TCR-3 PART B shall then be followed through.

TCR-3: <u>PART A</u>

Following the provisions of TRC-2, above, if the San Manuel Band of Mission Indians (SMBMI) are the only tribe that requests to consult on a given CBP project, the terms of the Mitigation Measures provided by the Tribe shall be applied to the project, where applicable, and as follows:

SM-CUL-1

<u>Archaeological Monitoring and Testing</u>
At least one archaeologist with at least 3 years of regional experience in archaeology and a Tribal monitor representing the San Manuel Band of Mission Indians shall conduct subsurface archaeological testing on the project site via the employ of a number of subsurface investigative methods, including shovel test probes, remote sensing, and/or deep testing via controlled units or trenching of appropriate landscapes, with a sample size of at least 25% of the area of concern dug and dry-sifted through 1/8-inch mesh screens, prior to any ground-disturbing activity. A Testing Plan shall be created by the archaeologist and submitted to the SMBMI and IEUA for review at least 10 business days prior to implementation, so as to provide time to review/modify the Plan, if needed. The Plan shall outline the protocol of presence/absence testing and contain a Treatment Plan detailing that 1) no collection of artifacts or excavation of features shall occur during testing, and 2) all discovered resources shall be properly recorded and reburied in situ.

If the results of testing, as approved by SMBMI, are positive, then SMBMI and IEUA shall, in good faith, consult concerning appropriate treatment of the finding(s), guidance for which is outlined in SM-TCR-1.

If the results of testing, as approved by SMBMI, are negative, then SMBMI will conclude consultation unless any discoveries are made during project implementation. Any and all discoveries made during project implementation shall be subject to the Treatment Plan outlined within the Testing Plan developed as described above and the guidelines contained in SM-TCR-1.

If resources are identified during testing as described above, an archaeological monitor and a Tribal monitor from SMBMI with at least 3 years of regional experience in archaeology shall be present for all ground-disturbing activities that occur within the proposed project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.], and archaeological work). A sufficient number of monitors shall be present each work day to ensure that simultaneously occurring ground disturbing activities receive thorough levels of monitoring coverage. A Monitoring and Treatment Plan that is reflective of the project mitigation ("Cultural Resources" and "Tribal Cultural Resources") shall be completed by the archaeologist and submitted to the IEUA for dissemination to the SMBMI. Once all parties review and approve the plan, it shall be adopted by the IEUA – the plan must be adopted prior to permitting for the project. Any and all findings will be subject to the protocol detailed within the Monitoring and Treatment Plan.

SM-TCR-1

<u>Treatment of Cultural Resources</u>
If a pre-contact cultural resource is discovered during archaeological presence/absence testing, the discovery shall be properly recorded and then reburied in situ. A research design shall be developed by the archaeologist that shall include a plan to evaluate the resource for significance under CEQA criteria. Representatives from the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI), the archaeologist, and the IEUA shall confer regarding the research design, as well as any testing efforts needed to delineate the resource boundary. Following the completion of evaluation efforts, all parties shall confer regarding the archaeological significance of the resource, its potential as a Tribal Cultural Resource (TCR), avoidance (or other appropriate treatment) of the discovered resource, and the potential need for construction monitoring during project implementation. Should any significant resource and/or TCR not be a candidate for avoidance or preservation in place, and the removal of the resource(s) is necessary to mitigate impacts, the research design shall include a comprehensive discussion of sampling strategies, resource processing, analysis, and reporting protocols/obligations. Removal of any cultural resource(s) shall be conducted with the presence of a Tribal monitor representing the Tribe, unless otherwise decided by SMBMI. All plans for analysis shall be reviewed and approved by IEUA and SMBMI prior to implementation, and all removed material shall be temporarily curated on-site. It is the preference of SMBMI that removed cultural material be reburied as close to the original find location as possible. However, should reburial within/near the original find location during project implementation not be feasible, then a reburial location for future reburial shall be decided upon by SMBMI and the IEUA, and all finds shall be reburied within this location. Additionally, in this case, reburial shall not occur until all ground-disturbing activities associated with the project have been completed, all monitoring has ceased, all cataloguing and basic recordation of cultural resources have been completed, and a final monitoring report has been issued to IEUA, CHRIS, and SMBMI. All reburials are subject to a reburial agreement that shall be developed between the landowner and SMBMI outlining the determined reburial process/location, and shall include measures and provisions to protect the reburial area from any future impacts (vis a vis project plans, conservation/preservation easements, etc.).

Should it occur that avoidance, preservation in place, and on-site reburial are not an option for treatment, the landowner shall relinquish all ownership and rights to this material and confer with SMBMI to identify an American Association of Museums-accredited facility within the County that can accession the materials into their permanent collections and provide for the proper care of these objects in accordance with the 1993 CA Curation Guidelines. A curation agreement with an appropriate qualified repository shall be developed between the landowner and museum that legally and physically transfers the collections and associated records to the facility. This agreement shall stipulate the payment of fees necessary for permanent curation of the collections and associated records and the obligation of the Lead Agency/Developing Agency to pay for those fees.

All draft records/reports containing the significance and treatment findings and data recovery results shall be prepared by the archaeologist and submitted to the IEUA and SMBMI for their review and comment. After approval from all parties, the final reports and site/isolate records are to be submitted to the local CHRIS Information Center, the IEUA, and SMBMI.

SM-TCR-2

<u>Inadvertent Discoveries of Human Remains/Funerary Objects</u>
In the event that any human remains are discovered within the project area, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The on-site lead/foreman shall then immediately notify SMBMI and the IEUA. The IEUA shall then immediately contact the County Coroner regarding the discovery. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD, and IEUA to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. The MLD

shall complete its inspection and make recommendations within forty-eight (48) hours of the site visit, as required by California Public Resources Code § 5097.98.

Reburial of human remains and/or funerary objects (those artifacts associated with any human remains or funerary rites) shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The MLD in consultation with the landowner, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects. All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects on or near the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The IEUA should accommodate on-site reburial in a location mutually agreed upon by the Parties.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and IEUA, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

PART B
Following the provisions of TRC-2, above, if the Gabrieleño Band of Mission Indians – Kizh Nation are the only tribe that requests to consult on a given CBP project, the terms of the Mitigation Measures provided by the Tribe shall be applied to the project, where applicable, and as follows:

G-TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The IEUA shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians - Kizh Nation. The monitor shall be retained pursuant to the provisions in CBP MMs TRC-1 and TRC-2 above. The Native American Monitor shall be retained for the applicable CBP project site during ground disturbing activity. "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be submitted to IEUA prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the IEUA upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the IEUA that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the IEUA that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the including for educational, cultural and/or historic purposes.

G-TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects

A. Native American human remains are defined in Public Resources Code Section 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness.

Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

<u>G-TCR-3: Procedures for Burials and Funerary Remains:</u>

A. As the Most Likely Descendant (MLD), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient times, as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the

project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

IEUA finds that implementation of the above measures would reduce potential impacts to unknown subsurface tribal cultural resources to a less than significant impact level. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant adverse tribal cultural resource impact with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable tribal cultural resource impacts required to support the proposed project.

19. Utilities and Service Systems: Impacts under Utilities and Service Systems, checklist question "a" are significant and cannot be mitigated below significance level. The discussion of this specific issue under Utilities and Service Systems is located below in Section F of this document. The checklist questions under Utilities and Service Systems that can be mitigated to a level of less than significant are as follows:

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-507 to 4-512, FPEIR)

Facts: Implementation of the CBP requires mitigation to ensure adequate management of the Chino Basin as the individual CBP facilities are developed. This includes mitigation that addresses pumping sustainability, hydraulic control, and reduction in net recharge, which could, without mitigation, result in variability in available supply to Chino Basin stakeholders.

The Watermaster will review IEUA's Storage and Recovery Program application and gathers the appropriate data to (1) determine whether future CBP projects would result in loss of pumping sustainability, result in potential reduction in net recharge and impacts to Safe Yield, and/or result in new subsidence, and (2) respond with appropriate mitigation to minimize the potential adverse hydrological impacts that may occur from a project. Additionally, IEUA will adhere to the plan of response prepared by the Watermaster should the Basin conditions vary from the projections that have been modeled as part of the CBP (and all supporting documentation). The mitigation provided above under Subchapter 4.11, Hydrology and Water Quality, question (b), would enable the Watermaster to maintain sustainable management of

the Basin, and thereby maintain sufficient water supply allocated to the Parties for the foreseeable future.

Ultimately, the project would have a less than significant potential to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years, once mitigation is implemented. Mitigation measures **HYD-1, HYD-2, HYD-3, HYD-4, HYD-5, HYD-6,** and **HYD-7** are required to minimize impacts related to pumping sustainability, net recharge and safe yield, hydraulic control, and overall basin management. With the implementation of mitigation that would ensure sustainable management of the Basin, impacts under this issue would be less than significant.

c) Would the project 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?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-512 to 4-515, FPEIR)

Facts: Wastewater generated during construction of the proposed CBP facilities would be minimal, consisting of portable toilet waste generated by construction workers and therefore would not substantially impact wastewater treatment capacity. All conveyance systems, wells, and ancillary facilities would not generate wastewater during their operation.

The proposed AWPF at RP-4 would constitute another form of treatment to IEUA and other agency recycled water. As with the AWPF, wellhead treatment facilities could create a new sources of brine waste generated by water treatment that would require treatment by the applicable wastewater treatment provider. Brine from the AWPF at RP-4 would be conveyed through a 1,400-foot 8-inch HDPE brine line using residual pressure from the RO system. The new brine line would exit the southeast side of the AWPF and connect to existing manhole EINL- 008 on the NRWS pipeline, located on Etiwanda Avenue between Wells Street and 6th Street. It has been verified that the existing NRWS infrastructure would be able to accommodate the brine stream at the point of connection and downstream. The AWPF would contribute an additional anticipated 1,027,300 gpd to the NRWS. The NRWS capacity is 4.6 MGD leaving more than three quarters of the system's capacity available for use by other entities in the region should brine disposal be required.

Additionally, a new 6,800-foot 8-inch HDPE brine line is anticipated to connect to the IEBL, with a possibility for jack and bore to be required in order to install this section of pipeline. It has been verified that the existing IEBL infrastructure would be able to accommodate the brine stream at the point of connection and downstream. The three wellhead-treatment system(s) would contribute an additional anticipated 4,900 gpd per facility to the IEUA. The NRWS capacity is 1.9 MGD leaving a vast majority of the system's capacity available for use by other entities in the region should brine disposal be required.

Should the IEUA require greater capacity of the brine disposal facilities than is presently available, it would not be possible to determine whether these facilities would require OCSD (or another agency responsible for treating brine waste) to

expand the capacity of its treatment plant to accommodate the additional brine waste generated by the CBP facilities. As such, MM **UTIL-4**, which requires subsequent CEQA documentation to be prepared for certain projects, is required to minimize potential impacts to a level of insignificance. Implementation of MM **UTIL-4** is sufficient to reduce the potential for impacts related to capacity of area wastewater treatment plants to below significance thresholds, as it would ensure that subsequent CEQA documentation is required where the overall CBP would require greater brine conveyance capacity than area brine disposal facilities can accommodate.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Finding: Less Than Significant With Mitigation Incorporated (pg. 4-515 to 4-517 FPEIR)

Facts: The development of CBP facilities is not anticipated to result in generation of solid waste in excess of the capacities of local infrastructure. Each of the CBP facilities would include the preparation of a construction and demolition solid waste management plan as required by San Bernardino County or Riverside County for all new construction projects. Information provided in this waste management plan would include how the waste would be managed, hauler identification, and anticipated material wastes. Each plan would demonstrate a minimum of 50 percent diversion of construction building materials and demolition debris from landfills through reuse or recycling, which is required by AB 939.

Implementation of mitigation measure **UTIL-5** will ensure that construction and demolition materials that are salvageable are recycled, and thereby diverted from the local landfill, which will minimize the potential for CBP projects to generate waste in excess of local landfill capacities. Similarly, MM **UTIL-6** will ensure that soils that would generally be exported from a given construction site are salvaged where possible for recycling and ultimately reuse, thereby diverting this waste stream from the local landfill. This too will minimize the potential for CBP projects to generate waste in excess of local landfill capacities.

Ultimately, with the implementation of these mitigation measures, the CBP would have a less than significant potential to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Finding: Less Than Significant With Mitigation Incorporated (pg. 296, FPEIR)

Facts: Implementation of proposed CBP facilities would comply with all applicable city, county, and State construction and demolition requirements during construction of the proposed facilities. All excavated soil would be hauled offsite by truck to an appropriately permitted solid waste facility. The daily amount of soil to be disposed per day would not exceed the maximum permitted throughput for each waste type (i.e., non-hazardous and hazardous). Any hazardous materials collected on a given CBP project site during either construction or operation will be transported and disposed of by a permitted and licensed hazardous materials service provider. CBP projects would be required, through the implementation of MM **UTIL-5** to recycle

construction and demolition materials beyond the mandated 50 percent diversion required by AB 939. Furthermore, MM **UTIL-6** would require further diversion through the recycling of soils where possible for future CBP projects. The proposed development of wells would comply all federal, State, and local statues related to solid waste disposal. Therefore, the proposed CBP would result in less than significant construction impacts with the implementation of mitigation.

The cities and/or county in which a given project would be located are required to comply with the California Integrated Waste Management Act of 1989, requiring diversion of solid waste from landfills through reuse and recycling. Facilities proposed as part of the CBP would be required to recycle as part of the projects' operational activities. Additionally, any hazardous materials collected on the project site during either construction or operation of future development within the CBP would be transported and disposed of by a permitted and licensed hazardous materials service provider. This is a mandatory requirement; compliance does not require mitigation. As such, the proposed CBP facilities would comply with federal, State, and local management and reduction statutes and regulations related to solid waste. Impacts are less than significant.

Mitigation Measures

IEUA has determined that the proposed project could have a potentially significant impact on utilities and service systems checklist items "b," "c," "d," and "e." Mitigation measures to reduce the impact to below a level of potential significance are provided below.

UTIL-1: ***Implementation of a Drainage Plan to Reduce Downstream Flows. Prior to issuance of permits for construction of project facilities, IEUA shall prepare a drainage plan that includes design features to reduce stormwater peak concentration flows exiting the above ground facility sites (consistent with MS4 requirements) so that the capacities of the existing downstream drainage facilities are not exceeded. These design features could include bio-retention, sand infiltration, return of stormwater for treatment within the treatment plant, and/or detention facilities***

UTIL-2: ***For future CBP projects that do not have access to electrical or natural gas connections in the immediate vicinity (defined here as a 1,000-foot buffer from a given project site), and will require either extension of infrastructure or creation of new infrastructure to meet electricity and/or natural gas needs at a future CBP facility site, subsequent CEQA documentation shall be prepared that fully analyzes the impacts that would result from extension or development of electrical or natural gas infrastructure.***

UTIL-3: ***For future CBP projects that do not have access to telecommunication connections in the immediate vicinity (defined here as a 1,000-foot buffer from a given project site), and will require either extension of infrastructure or creation of new infrastructure to meet telecommunication needs at a future CBP facility site, subsequent CEQA documentation shall be prepared that fully analyzes the impacts that would result from extension or development of electrical or natural gas infrastructure.***

UTIL-4: ***Should the agencies operating the brine disposal systems (Orange County Sanitation District [OCSD] and Los Angeles County Sanitation District [LACSD]) determine that the capacity requested on behalf of CBP operations is greater than that which can be accommodated with existing treatment capacities, subsequent CEQA documentation addressing the required facility expansions shall be prepared. I.e., should the CBP require access to greater capacity from an existing brine disposal system (including the IEBL, the NRWS, or the Etiwanda Wastewater Line [EWL]) beyond that which can be accommodated by existing facilities—excluding pipeline connections required to connect CBP facilities to these brine disposal systems (such as the 8,200 LF proposed to be installed as part of the CBP)—subsequent CEQA documentation shall be prepared.***

UTIL-5: ***The contract with demolition and construction contractors for a given CBP project shall include the requirement that all materials that can feasibly be recycled shall be salvaged and recycled. This***

includes but is not limited to wood, metals, concrete, road base and asphalt. The contractors for a given CBP project shall submit a recycling plan to IEUA for review and approval prior to issuance of permits for the construction of demolition/construction activities.

UTIL-6: ***The contract with demolition and construction contractors for a given CBP project shall include the requirement that all soils that are planned to be exported from the site that can be recycled shall be recycled for re-use; alternatively, soils shall be reused on site to balance soil import/export.***

HYD-1: ***Watermaster shall review the IEUA's Storage and Recovery Program application for the CBP and estimate the surface and ground water systems' response (estimate the potential for new pumping sustainability challenges). Watermaster shall then prepare a report that describes the response and potential Material Physical Injury (MPI) to the Chino Basin and shall develop mitigation requirements pursuant to MM HYD-2 to mitigate MPI caused by the CBP. The IEUA shall develop mitigation measures pursuant to these requirements established by the Watermaster; these measures shall be incorporated into its Storage and Recovery Program application. Upon approval by Watermaster, these mitigation measures shall be incorporated into the CBP storage agreement.***

HYD-2: ***To mitigate MPI caused by the IEUA's proposed Storage and Recovery Program application (as described above under HYD-1), the data gathered through Watermaster's comprehensive groundwater-level monitoring shall be used to identify potential impacts on pumping sustainability and to develop mitigation requirements to mitigate for these impacts. Potential mitigation includes, but is not limited to: (1) modifying the PUT operations and/or TAKE cycles to minimize impacts to pumping sustainability, (2) strategically increasing supplemental water recharge to mitigate loss of pumping sustainability, (3) modifying a party's affected well (lowering pump bowls), (4) providing an alternate supply to the affected party to ensure it can meet its demands, (5) a combination of (1) through (4), and (6) the implementation of a monitoring program to verify the effectiveness of the mitigation actions.***

HYD-5: ***Watermaster shall estimate the reduction in net recharge and Safe Yield for the CBP and deduct it from water stored in the CBP storage account, which will compensate for its impact on net recharge and Safe Yield. Watermaster shall review these impacts and develop mitigation requirements for the CBP. The IEUA shall develop mitigation measures pursuant to the requirements suggested in MM HYD-6 and established by Watermaster; these measures shall be incorporated into the IEUA's Storage and Recovery Program application. Upon approval by Watermaster, these mitigation measures shall be incorporated into the CBP storage agreement.***

HYD-6: ***To mitigate reduction in net recharge and Safe Yield caused by the CBP (as described above under HYD-5), the Watermaster's comprehensive monitoring and modeling that estimates net recharge of the Chino Basin shall be used to identify potential and actual losses of net recharge and to develop mitigation requirements to mitigate impacts thereof. Potential mitigation includes, but is not limited to: (1) modifying the PUT operations and/or TAKE cycles to minimize reductions in net recharge, (2) deducting the reduction in net recharge from the IEUA's Storage and Recovery account, (3) recharge additional water to mitigate reductions in net recharge, (4) construct facilities in the southern part of the Basin to eliminate the reduction of net recharge due the CBP, (5) a combination of (1) through (4), and (6) the implementation of a monitoring program to verify the effectiveness of the mitigation actions.***

HYD-7: ***Watermaster shall periodically review current and projected Basin conditions and shall compare this information to the projected Basin conditions assumed in the evaluation of the CBP Storage and Recovery Program application process, compare the projected CBP operations to actual operations. The Watermaster shall then make findings regarding the efficacy of the mitigation program and requirements required herein and by the CBP storage agreement. Based on Watermaster's review and subsequent findings, where applicable, Watermaster shall require changes and/or modifications in the CBP storage agreement that will adequately mitigate MPI and related adverse impacts including but not limited to pumping sustainability, net recharge and safe yield, subsidence, hydraulic control, and groundwater quality.***

HYD-8: ***Prior to the commencement of construction of any CBP project that will disturb less than one acre (i.e., that is not subject to the California Construction Stormwater General Permit), IEUA shall require implementation of and construction contractor(s) shall select best management practices (BMPs) to achieve a reduction in pollutants from stormwater discharge to the maximum extent practicable during the construction of each CBP facility, and to control urban runoff after each CBP facility is***

constructed and is in operation. Examples of BMP(s) that would achieve a reduction in pollutants include, but are not limited to:

- ***The use of silt fences or coir rolls;***
- ***The use of temporary stormwater desilting or retention basins;***
- ***The use of water bars to reduce the velocity of stormwater runoff;***
- ***The use of wheel washers on construction equipment leaving the site;***
- ***The washing of silt from public roads at the access point to the site to prevent the tracking of silt and other pollutants from the site onto public roads;***
- ***The storage of excavated material shall be kept to the minimum necessary to efficiently perform the construction activities required. Excavated or stockpiled material shall not be stored in water courses or other areas subject to the flow of surface water; and***
- ***Where feasible, stockpiled material shall be covered with waterproof material during rain events to control erosion of soil from the stockpiles.***

HYD-9: ***Prior to commencement of construction of project facilities, IEUA shall be required to either:***

(1) Prepare a No Net Discharge Report demonstrating that within each facility surface runoff shall be collected and retained (for use onsite) or detained and percolated into the ground on the site such that site development results in no net increase in offsite stormwater flows. Detainment shall be achieved through Low Impact Development techniques whenever feasible, and shall include techniques that remove the majority of urban storm runoff pollutants, such as petroleum products and sediment. The purpose of this measure is to remove the onsite contribution to cumulative urban storm runoff and ensure the discharge from the sites is treated to reduce contributions of urban pollutants to downstream flows and to groundwater; or, where it is not feasible to eliminate stormwater flows off of a site or where otherwise appropriate, the Watermaster and/or Implementing Agency shall:

(2) Prepare a grading and drainage plan that identifies anticipated changes in flow that would occur on site and minimizes any potential increases in discharge, erosion, or sedimentation potential in accordance with applicable regulations and requirements for the County and/or the City in which the facility would be located. In addition, all new drainage facilities shall be designed in accordance with standards and regulations. The plan shall identify and implement retention basins, best management practices, and other measures to ensure that potential increases in storm water flows and erosion would be minimized, in accordance with local requirements.

HYD-10: ***To minimize potential ground disturbances associated with installation and maintenance of wellhead treatment at existing wells, the equipment and treatment facilities shall be installed within or along existing disturbed easements or rights-of-way or otherwise disturbed areas, including access roads and pipeline or existing utility easements, whenever feasible.***

HYD-11: ***For long-term mitigation of site disturbances at CBP facility locations, all areas not covered by structures shall be covered with hardscape (concrete, asphalt, gravel, etc.), native vegetation and/or man-made landscape areas (for example, grass). Revegetated or landscaped areas shall provide sufficient cover to ensure that, after a two-year period, erosion will not occur from concentrated flows (rills, gully, etc.) and sediment transport will be minimal as part of sheet flows.***

The following measures are also required to minimize impacts under utilities and service systems, though these measures (**HYD-1, HYD-2, HYD-5, HYD-6, HYD-7, HYD-8, HYD-9, HYD-10,** and **HYD-11**) are also provided under their respective section above.

IEUA finds that implementation of the above measures would reduce potential impacts to water supply, provision of wastewater, and solid waste under utilities and service systems. The above measures can be implemented without causing additional adverse environmental impacts. The above measures will be integrated into the future development activities without additional impacts on the environment. Since the proposed project as analyzed above will not directly or indirectly cause significant adverse water supply, provision of wastewater, or solid waste impacts under utilities and service systems with implementation of mitigation, the proposed project is not forecast to contribute to cumulatively considerable water supply, provision of wastewater, or solid waste impacts related to implementation of the CBP.

Based upon the findings presented in the FPEIR, the above-described environmental issues have been determined by the IEUA to be: (1) adequately addressed in the FPEIR; and (2) impacted to a degree deemed by the IEUA to be less than significant with implementation of the mitigation measures identified above (where required) and summarized in the Mitigation Monitoring and Reporting Program. No substantial evidence was subsequently presented to or identified by the IEUA which further modified or otherwise altered IEUA's less-than-significant impact determinations for each of these environmental issues. Where mitigation has been required, these changes or alterations have been required in, or incorporated into the project, and they mitigate or avoid the significant environmental effects thereof as identified in the FPEIR. These changes or alterations are within the responsibility and jurisdiction of the IEUA or other responsible agencies and such changes have been adopted the IEUA. The IEUA Board further finds that no additional mitigation measures or project changes are required to reduce the potential impacts discussed above to a less than significant level.

This concludes the summary of environmental impacts that were identified in the FPEIR and the Initial Study as non-significant impacts with mitigation measures related to implementation of the proposed project.

F. SIGNIFICANT UNAVOIDABLE EFFECTS OF THE PROJECT

The IEUA Board finds that despite the incorporation of extensive changes and alterations into the proposed project, approving and implementing the CBP will allow impacts under three issue categories to remain unavoidably significant because these impacts cannot be assured of mitigation to a less than significant level. These unavoidable significant adverse environmental impacts are related to biological resources, greenhouse gas emissions, and utilities and service systems. The impacts and the measures identified to minimize them to the extent feasible are summarized below. Thus, the potential for significant effects to occur for these issues would continue to exist regardless of whether or not the project implements the project changes and mitigation measures mandated by the IEUA Board in the FPEIR.

The potential impact to the above impact categories—Biological Resources, Greenhouse Gas Emissions, and Utilities and Service Systems—were concluded to be significant based on the whole record which demonstrated that these impacts could not be reduced below thresholds of significance by the proposed project changes to the proposed project (alternatives, mitigation measures or design changes) and still achieve project objectives. This finding is based on a mix of diversion of water from the SAR that may result in potentially significant impacts to biological resources, and cumulative construction activities over the next 25 years generating substantive construction-related greenhouse gas emissions. To the extent that future proposed project development generates the emissions forecast from construction and operational activities and to the extent that the CBP would divert water from the SAR, resulting in potentially significant cumulative modifications to suitable habitat for the Santa Ana sucker, approval of the CBP contributes to the significant impacts as described in detail below. Thus, despite the incorporation of changes to the CBP, biological resources, greenhouse gas emissions, and utilities and service systems impacts cannot be fully mitigated to a level of less than significant.

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(3) of the CEQA Guidelines, the IEUA finds that, for each of the following significant effects, specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or

alternatives identified in the FPEIR. These findings are explained below and are supported by substantial evidence in the record of proceedings.

4. Biological Resources: Only checklist items "(a)," "(b)," and "(d)" are discussed below as these are the only impact categories that are significant and unavoidable.

a. Would the project 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?

Finding: Unavoidable Significant Impact (pg. 4-96 to 4-99, and 4-103 through 4-109, FPEIR)

Facts: Potential impacts on jurisdictional waters, special-status plant communities, protected trees, special-status plant, and wildlife species (including critical habitat) will be analyzed for each facility as site locations are selected and specific designs are established. Once a particular facility area of potential effect (APE) is established, the following steps will be taken during a detailed second-tier evaluation to assure resource impacts are quantified, and site-specific measures are selected from the mitigation measures identified below:

- Where none of the biological resource impacts discussed under **2(a) Conclusion,** below, will occur, no further biological resource impact analysis would be necessary;
- Where potentially significant impacts may occur, but specific mitigation outlined under **BIO-1, -2, -6, -9, -25, -26** and **BIO-11** through **BIO-23**, can reduce such impacts to a less than significant level, future documentation may rely upon the procedures outlined in CEQA Guidelines Sections 15162 and 15168 to determine the required level of CEQA documentation for future infrastructure projects. Future CBP site-specific projects shall be required to perform these analyses at the time individual CBP Infrastructure improvements are considered for funding and implementation.

The following steps shall occur to determine the level of significance at a given CBP site:

- Each biological resource will be evaluated for its presence or absence, and for the presence of habitat that could support the resource or provide habitat for the resource. Suitable habitat was determined based on background review and identification of species-specific life-history requirements.
- Potential impacts on special-status wildlife species will be determined using a habitat-based approach where the presence of the species was assumed in suitable habitat. Habitats in the project footprint and vicinity were determined through a combination of background review, habitat mapping during field surveys, and aerial photograph interpretation.
- Potential impacts on designated critical habitat will be based on the location of the critical habitat relative to the project footprint and the presence of primary constituent elements (PCEs) associated with the critical habitat designation.

In determining the potential direct and indirect impacts associated with construction and operation impacts on biological resources, a number of assumptions and limitations are identified:

- Construction and operation impacts will be considered temporary if they can be fully restored to pre-disturbance conditions following construction. Temporary impacts would include construction staging areas, construction laydown areas, relocation of underground utilities, and other work space that would not be occupied by permanent above-ground facilities during project operation.
- Impacts will be considered permanent when they have lasting effects beyond the project construction period, or cannot be fully restored following construction. Permanent impacts would include new right-of-way for new or expanded facility or water conveyance systems, road crossings, electrical substations, maintenance and operations facilities, and monitoring stations.
- Certain jurisdictional waters types (wetlands) are especially sensitive to disturbance; therefore, impacts on these features will be considered permanent where these features cannot be restored to their pre-project condition due to the permanent loss by new infrastructure.

Finally, IEUA's operational water diversions have a potential to contribute to a cumulatively adverse impact on biological resources both in the Upper Santa Ana River channel and Prado Basin. Based on implementing avoidance and mitigation measures in accordance with the mitigation outlined in the SAR HCP DEIR (MMs **BIO-1** through **BIO-7** from the Upper SAR HCP DEIR), the impacts to 21 of the identified covered species can be reduced to a less than cumulatively considerable adverse impact or even beneficial impacts. However, according to the SAR HCP DEIR, the cumulative operational diversions from the SAR may contribute to a significant adverse impact on the Santa Ana sucker. As discussed above, this impact is not unequivocal; it is based on insufficient data to ensure that all of the proposed avoidance and mitigation measures are effective, particularly translocation, which "may not achieve their intended result." IEUA concurs with the cumulative impact findings of the SAR HCP DEIR.

The mitigation strategy includes avoidance of impacts on biological resources to the extent possible through requiring the following: preconstruction surveys and field verification of sensitive resources and mitigation to provide compensation for sensitive habitat lost (**BIO-1**); preparation of a Biological Resources Management Plan (BRMP) that would develop parameters with site-specific mitigation measures to minimize impacts to sensitive biological resources (**BIO-2**); conduct a preconstruction burrowing owl survey at CBP sites that are not fully developed (**BIO-6**); require facility design and maintenance activity to be planned to protect habitat, which would minimize the potential for CBP facilities to significantly modify sensitive habitat (**BIO-9**); require the establishment of buffer zones adjacent to sensitive biological resources to minimize any potential impacts thereof (**BIO-11**); revegetate areas disturbed by construction of CBP facilities to ensure that construction impacts to sensitive biological resources are minimized and to prevent invasive species from adversely impacting native biological resources (**BIO-12**); clean construction equipment to minimize introduction of non-native species that might adversely impact native biological resources on a given site (**BIO-13**); require contractor education and environmental training to ensure that personnel are informed of the protocols required to minimize impacts to biological resources at a given site (**BIO-14**); require that a biological monitor be present during construction where impacts to Riparian, Riverine, Wetland, Endangered Species or Endangered Species Critical habitat occurs to minimize impacts thereof (**BIO-15**); require that all trash is disposed of in closed containers to minimize the potential to attract or adversely impact

sensitive biological species (**BIO-16**); restrict use of rodenticides and herbicides to prevent impacts to sensitive biological species (**BIO-17**); installation of wildlife exclusion fencing at the edge of the construction footprint and along the outer perimeter of Environmentally Sensitive Areas and Environmentally Restricted Areas to restrict special-status species from entering the construction area (**BIO-18**); require that equipment staging areas are delineated and enforced during construction at each site (**BIO-19**); restriction of plastic mono-filament netting or similar material to prevent potential harm to wildlife (**BIO-20**); access roads will be clearly delineated to minimize potential for impacts to habitat located outside of these delineated areas (**BIO-21**); to prevent use of trenches and other similar features by wildlife, all excavated, steep-sided holes or trenches more than 8 inches deep will be covered at the close of each working day (**BIO-22**); and, require preparation and implementation of weed control plans to ensure the measures taken to prevent the spread of weeds do not adversely impact sensitive biological resources, and conversely this plan shall ensure that invasive species do not adversely impact sensitive biological resources (**BIO-23**); support Prado Basin Habitat Sustainability Monitoring Program (**BIO-25**); and, install xeric landscaping to minimize water demand within individual CBP facilities. MMs **BIO-1** through **BIO-7** from the Upper SAR HCP DEIR would provide additional support to protect the 22 covered species under the HCP, thus further minimizing the project's potential cumulative impacts to all covered species except the Santa Ana sucker.

Ultimately, the program's contribution is considered cumulatively considerable, and would result in a significant or cumulatively considerable adverse impact. Furthermore, though substantial mitigation is provided to minimize impacts under most circumstances for future CBP facilities, no feasible mitigation exists to completely avoid the potential for the CBP to 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. Thus, the proposed project is forecast to cause significant unavoidable adverse impacts to biological resources, specifically under this issue.

b. Would the project 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 U.S. Fish and Wildlife Service?

Finding: Unavoidable Significant Impact (pg. 4-99 to 4-100, and 4-103 through 4-109, FPEIR)

Facts: Critical habitat has been designated for several species adjacent to, directly overlapping, or in the general vicinity of the CBP area, with significant concentration along the Santa Ana River corridor. The primary mitigation for potential impacts to critical habitat will be avoidance. Where avoidance is not feasible, MMs **BIO-1** and **BIO-7** will be implemented to minimize impacts to the maximum extent feasible. It is rare that critical habitat extends directly within the property owned by IEUA because these areas have already been converted to urban development. Mitigation is required to address potential impacts to riparian habitat or other sensitive natural communities, furthermore, the future CBP facilities will be required to prepare site-specific subsequent environmental documentation to minimize impacts to riparian habitat or other sensitive natural communities through acquisition of regulatory permits where applicable. Direct construction impacts on critical habitat or covered

species can be mitigated to a less than significant level through the SAR HCP implementation. The one exception regarding operational impacts is the potential for impacts to the Santa Ana sucker (SAS).

As stated above under Biological Resources issue "a", the mitigation strategy includes avoidance of impacts on sensitive habitat to the extent possible through requiring the following: preconstruction surveys and field verification of sensitive resources and mitigation to provide compensation for sensitive habitat lost (**BIO-1**); preparation of a Biological Resources Management Plan (BRMP) that would develop parameters with site-specific mitigation measures to minimize impacts to sensitive biological resources (**BIO-2**); obtainment of regulatory permits and implementing subsequent mitigation that would minimize impacts related to discharge of fill or streambed alteration of jurisdictional areas (**BIO-3**); require jurisdictional water preconstruction surveys to determine the potential impacts thereof, which will inform the mitigative actions required to minimize impacts to jurisdictional waters/areas (**BIO-4**); protect migratory birds through conducting grubbing, brushing or tree removal outside of nesting season or coordinating with the California Department of Fish and Wildlife (CDFW) (**BIO-5**); conduct a preconstruction burrowing owl survey at CBP sites that are not fully developed (**BIO-6**); and, verify consistency with or obtain take authorization through applicable habitat conservation plans (HCPs) or multiple species habitat conservation plans (MSHCPs) within a given site (**BIO-7**). MMs **BIO-1** through **BIO-7** from the Upper SAR HCP DEIR would provide additional support to protect the 22 covered species and critical habitat under the HCP, thus further minimizing the project's potential cumulative impacts to all covered species to a level of less than significant, excluding the potentially significant cumulative impacts to the SAS.

As the CBP would result in diversion of water from the SAR, it would contribute to cumulative loss of critical habitat for the SAS. As this is cumulative contribution, and the diversion from the SAR is critical to implementing the CBP, impacts to SAS may not be fully mitigable, and an unavoidable significant adverse biological resource impact may occur. Therefore, where the mitigation strategies proposed as part of the SAR HCP to protect this species cannot be achieved, the residual cumulative impact to critical habitat is determined to be unavoidable, and therefore, cumulatively significant.

d. Would the project 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?

Finding: Unavoidable Significant Impact (pg. 4-64 to 4-65, 4-68 to 4-70, and 4-73 to 4-75, FPEIR)

Facts: The proposed CBP will be developed within the Chino Basin, which contains many areas that could serve to enable movement of native resident or migratory fish or wildlife species, or serve established native resident or migratory wildlife movement corridors, or serve as native wildlife nursery sites. As such, future CBP Infrastructure proposals will be required to perform subsequent environmental analyses at the time individual infrastructure improvements are considered for funding. Mitigation is required to minimize impacts under this issue to a less than significant level on a project specific basis.

The mitigation strategy includes avoidance of impacts on biological resources to the extent possible through requiring the following: preconstruction surveys and field verification of sensitive resources and mitigation to provide compensation for sensitive habitat lost (**BIO-1**); preparation of a Biological Resources Management Plan (BRMP) that would develop parameters with site-specific mitigation measures to minimize impacts to sensitive biological resources (**BIO-2**); protect migratory birds through conducting grubbing, brushing or tree removal outside of nesting season or coordinating with the California Department of Fish and Wildlife (CDFW) (**BIO-5**); conduct a preconstruction burrowing owl survey at CBP sites that are not fully developed (**BIO-6**); and, verify consistency with or obtain take authorization through applicable habitat conservation plans (HCPs) or multiple species habitat conservation plans (MSHCPs) within a given site (**BIO-7**); Place primary emphasis on the preservation of large, unbroken blocks of natural open space and wildlife habitat area, and protect the integrity of habitat linkages (**BIO-8**); require facility design and maintenance activity to be planned to protect habitat, which would minimize the potential for CBP facilities to significantly modify sensitive habitat (**BIO-9**); require the establishment of buffer zones adjacent to sensitive biological resources to minimize any potential impacts thereof (**BIO-11**); revegetate areas disturbed by construction of CBP facilities to ensure that construction impacts to sensitive biological resources are minimized and to prevent invasive species from adversely impacting native biological resources (**BIO-12**); clean construction equipment to minimize introduction of non-native species that might adversely impact native biological resources on a given site (**BIO-13**); require contractor education and environmental training to ensure that personnel are informed of the protocols required to minimize impacts to biological resources at a given site (**BIO-14**); require that a biological monitor be present during construction where impacts to Riparian, Riverine, Wetland, Endangered Species or Endangered Species Critical habitat occurs to minimize impacts thereof (**BIO-15**); require that all trash is disposed of in closed containers to minimize the potential to attract or adversely impact sensitive biological species (**BIO-16**); restrict use of rodenticides and herbicides to prevent impacts to sensitive biological species (**BIO-17**); installation of wildlife exclusion fencing at the edge of the construction footprint and along the outer perimeter of Environmentally Sensitive Areas and Environmentally Restricted Areas to restrict special-status species from entering the construction area (**BIO-18**); require that equipment staging areas are delineated and enforced during construction at each site (**BIO-19**); restriction of plastic mono-filament netting or similar material to prevent potential harm to wildlife (**BIO-20**); access roads will be clearly delineated to minimize potential for impacts to habitat located outside of these delineated areas (**BIO-21**); to prevent use of trenches and other similar features by wildlife, all excavated, steep-sided holes or trenches more than 8 inches deep will be covered at the close of each working day (**BIO-22**); and, required preparation and implementation of weed control plan to ensure the measures taken to prevent the spread of weeds do not adversely impact sensitive biological resources, and conversely this plan shall ensure that invasive species do not adversely impact sensitive biological resources (**BIO-23**). MMs **BIO-1** through **BIO-7** from the Upper SAR HCP DEIR would provide additional support to protect the 22 covered species under the HCP to a level of less than significant, excluding the potentially significant cumulative impacts to the Santa Ana sucker.

Ultimately, the program's contribution is considered cumulatively considerable, and could result in a significant or cumulatively considerable adverse impact. While

Furthermore, the above mitigation measures would minimize the potential for the CBP to 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 for all species except the Santa Ana sucker. The proposed CBP project operations may result in a reduction in surface flows in the Santa Ana River and into Prado Basin. In addition, Low Impact Development ordnances, local policies, and municipal storm water detention regulations will encourage water conservation and flow detention, resulting in a cumulative reduction in surface flows reaching Prado Basin. These cumulative flow reductions may result in reduced acreage of healthy riparian forest that supports sensitive species such as least Bell's vireo as well as aquatic species such as the SAS and Southern California arroyo chub. To mitigate the effects of the cumulative diversions on habitat values and conservation objectives, the SAR HCP has determined that potential impacts of water management agencies in the Upper Santa Ana River Watershed that cumulative impacts to covered species and supporting habitat can be mitigated by implementing the HCP, except for the SAS. This impact is not unequivocal; it is based on insufficient data to ensure that all of the proposed avoidance and mitigation measures are effective, particularly translocation, which "may not achieve their intended result." As such, the project would contribute cumulatively considerable impacts to the SAS.

Mitigation Measures

The IEUA has determined that the proposed project could have a potentially significant impact on sensitive biological resources. Substantial mitigation is provided to minimize impacts such that, a future CBP facility would not be developed in an area containing significant biological resources that cannot be avoided. However, it has been determined that even with the implementation of substantial mitigation measures to avoid contributing to cumulatively considerable impacts to covered species and supporting habitat, which can be mitigated by implementing the HCP, impacts to one species cannot be completely avoided. Thus, the proposed project is forecast to cause significant unavoidable adverse impact to biological resources, specifically implementation of the CBP will contribute cumulatively to potential significant impacts to the Santa Ana Sucker due to the reduction in cumulative flows to the Santa Ana River. No feasible mitigation exists to ensure complete avoidance of potential cumulative impacts to the Santa Ana sucker. Below are the substantive mitigation measures addressed under Biological Resources:

BIO-1: ***All future CBP Infrastructure projects shall be required to consult with a qualified professional to determine the need for site-specific biological surveys. Where a site has been determined to require a site-specific survey by a qualified professional, in any case in which a future CBP Infrastructure project will affect undeveloped land, or in which IEUA seeks State Funding, site surveys shall be conducted in accordance with appropriate standards by a qualified biologist/ecologist, except where such surveys have already been conducted (i.e., at RP-4). If sensitive species are identified as a result of the survey for which mitigation/compensation must be provided in accordance with regulatory requirements, the CNDDB will be notified and the following subsequent mitigation actions will be taken:***

- ***a. The project proponent shall provide compensation for sensitive habitat acreage lost by acquiring and protecting in perpetuity (through property or mitigation bank credit acquisition) habitat for the sensitive species at a ratio of not less than 1:1 for habitat lost. The property acquisition shall include the presence of at least one animal or plant per animal or plant lost at the development site to compensate for the loss of individual sensitive species.***
- ***b. The final mitigation may differ from the above values based on negotiations between the project proponent and USFWS and CDFW for any incidental take permits for listed species. IEUA shall retain a copy of the incidental take permit as verification that the mitigation of***

significant biological resource impacts at a project site with sensitive biological resources has been accomplished.

c. Preconstruction botanical surveys for special-status plant communities and special-status plant species will be conducted in areas that were not previously surveyed because of access or timing issues or project design changes; pre-construction surveys for special-status plant communities and special-status plant species will be conducted before the start of ground-disturbing activities during the appropriate blooming period(s) for the species. If special-status plants or plant communities are identified, the following hierarchy of actions shall be taken: a) find an alternative site; b) avoid the plants and maintain them onsite after completing the project; or c) provide compensatory mitigation offsite.

BIO-2: Biological Resources Management Plan (BRMP): During final design and prior to issuance of construction permits, a BRMP will be prepared to assemble the biological resources mitigation measures for each specific infrastructure improvement in the future. The BRMP will include terms and conditions from applicable permits and agreements and make provisions for monitoring assignments, scheduling, and responsibility. The BRMP will also discuss habitat replacement and revegetation, protection during ground-disturbing activities, performance (growth) standards, maintenance criteria, and monitoring requirements for temporary and permanent native plant community impacts. The parameters of the BRMP will be formed with the mitigation measures from subsequent CEQA documentation, including terms and conditions as applicable from the USFWS, USACE, SWRCB/RWQCB, and CDFW.

BIO-3: Prior to discharge of fill or streambed alteration of state or federal water jurisdictional areas, IEUA shall obtain regulatory permits from the U.S. Army Corps of Engineers, local Regional Water Quality Control Board and the California Department of Fish and Wildlife as required. Any future project that must discharge fill into a channel or otherwise alter a streambed shall be minimized to the extent feasible, and any discharge of fill not avoidable shall be mitigated through compensatory mitigation. Mitigation can be provided by restoration of temporary impacts, enhancement of existing resources, or purchasing into any authorized mitigation bank or in-lieu fee program; by selecting a site of comparable acreage near the site and enhancing it with a native riparian habitat or invasive species removal in accordance with a habitat mitigation plan approved by regulatory agencies; or by acquiring sufficient compensatory habitat to meet regulatory agency requirements. Typically, regulatory agencies require mitigation for jurisdictional waters without any riparian or wetland habitat to be mitigated at a 1:1 ratio. For loss of any riparian or other wetland areas, the mitigation ratio will begin at 2:1 and the ratio will rise based on the type of habitat, habitat quality, and presence of sensitive or listed plants or animals in the affected area. A Habitat Mitigation and Monitoring Proposal shall be prepared and reviewed and approved by the appropriate regulatory agencies. IEUA will also obtain permits from the regulatory agencies (U.S. Army Corps of Engineers, Regional Water Quality Control Board, CDFW and any other applicable regulatory agency with jurisdiction over the proposed facility improvement) if any impacts to jurisdictional areas will occur. These agencies can impose greater mitigation requirements in their permits, but IEUA will utilize the ratios outlined above as the minimum required to offset or compensate for impacts to jurisdictional waters, riparian areas or other wetlands.

BIO-4: Jurisdictional Water Preconstruction Surveys: A federal and state jurisdictional water preconstruction survey will be conducted at least three months before the start of ground-disturbing activities to identify and map all jurisdictional waters in the project footprint and up to a 250-foot buffer around the project footprint, subject to legal property access restrictions. The purpose of this survey is to confirm the extent of jurisdictional waters within the project footprint and adjacent up to 250-foot buffer. If possible, surveys would be performed during the spring, when plant species are in bloom and hydrological indicators are most readily identifiable. These results would then be used to calculate impact acreages and determine the amount of compensatory mitigation required to offset the loss of wetland functions and values.

BIO-5: To avoid an illegal take of active bird nests, any grubbing, brushing or tree removal will be conducted outside of the State identified nesting season (nesting season is approximately from February 15 through September 1 of a given calendar year). Alternatively, a nesting bird survey that demonstrates that no bird nests will be disturbed during project construction can be conducted by a qualified biologist no more than 14 days prior to initiation of ground disturbance; construction may only commence once a qualified biologist has demonstrated that no nesting birds are present at a given site. IEUA shall coordinate with the CDFW to identify the appropriate nesting bird survey protocol. The results of the nesting bird survey will be documented in a report submitted by the avian biologist

to IEUA. IEUA, in coordination with CDFW and USFWS (as appropriate), may designate nest buffers outside of which construction activities may be allowed to proceed.

BIO-6: *All future CBP Infrastructure projects shall be required to consult with a qualified professional to determine the need for site-specific protocol burrowing owl surveys. Prior to commencement of construction activity where a site has been determined to require a protocol burrowing owl survey by a qualified professional, or in locations that are not fully developed, a protocol burrowing owl survey will be conducted using the 2012 survey protocol methodology identified in the "Staff Report on Burrowing Owl Mitigation, State of California, Natural Resources Agency, Department of Fish and Game, March 7, 2012", or the most recent CDFW survey protocol available. Protocol surveys shall be conducted by a qualified biologist to determine if any burrowing owl burrows are located within the potential area of impact. If occupied burrows may be impacted, an impact minimization plan shall be developed in coordination with CDFW and submitted to IEUA that will protect the burrow in place or provide for passive relocation to an alternate burrow within the vicinity but outside of the project footprint in accordance with current CDFW guidelines. Active nests must be avoided with a 250-foot buffer until all nestlings have fledged.*

BIO-7: *Prior to commencement of construction activity on a project facility within a MSHCP/HCP plan area, consistency with that plan, or take authorization through that plan, shall be obtained. Through avoidance, compensation or a comparable mitigation alternative, each project shall be shown to be consistent with a MSHCP/HCP.*

BIO-8: *During the design phase of future CBP Infrastructure projects, IEUA shall place primary emphasis on the preservation of large, unbroken blocks of natural open space and wildlife habitat area, and protect the integrity of habitat linkages. As part of this emphasis, IEUA shall facilitate programs for purchase of lands, clustering of development to increase the amount of preserved open space, and assurances that the construction of facilities or infrastructure improvements meet standards identical to the environmental protection policies applicable to the specific facilities improvement.*

BIO-9: *Require facility designs and maintenance activities to be planned to protect habitat values and to preserve significant, viable habitat areas and habitat connection in their natural conditions. A qualified biologist shall be retained to determine the scope of the following for a given project site:*

- *a. Within designated habitat areas of rare, threatened or endangered species, prohibit disturbance of protected biotic resources.*
- *b. Within riparian areas and wetlands subject to state or federal regulations, riparian woodlands, oak and walnut woodland, and habitat linkages, require that the vegetative resources which contribute to habitat carrying capacity (vegetative diversity, faunal resting sites, foraging areas, and food sources) are preserved in place or replaced so as not to result in a measurable reduction in the reproductive capacity of sensitive biotic resources.*
- *c. Within habitats of plants listed by the CNDDB or CNPS as "special" or "of concern," require that new facilities do not result in a reduction in the number of these plants, if they are present.*

BIO-10: *Maximize the preservation of individual oak, sycamore and walnut trees within proposed CBP Infrastructure sites. Preservation is defined within this measure as follows: existing oak, sycamore and walnut trees within a given Project site shall be retained within the site to the maximum extent feasible except where their preservation would interfere with functional and reasonable project design. Where the preservation of individual trees is not possible, IEUA shall comply with the local jurisdiction's tree ordinance, municipal code, or other local regulations. If no tree ordinance exists within the local jurisdiction, and a project will remove healthy trees as defined by a qualified arborist, (1) IEUA shall replace all trees removed at a 1:1 ratio, and (2) the specific location selected for a well shall avoid rock outcroppings and other scenic resources as defined in CEQA Guidelines Appendix G. If this cannot be accomplished a second tier CEQA evaluation shall be completed.*

BIO-11: *Require the establishment of buffer zones adjacent to areas of biological resources as recommended and defined by the site biologist. Such buffer zones shall be of adequate width to protect biological resources from grading and construction activities, as well as from the long-term use of adjacent lands. Permitted land modification activities with preservation and buffer areas are to be limited to those that are consistent with the maintenance of the reproductive capacity of the identified resources. The land uses and design of project facilities adjacent to a vegetative preservation area, as well as activities within the designated buffer area are not to be permitted to disturb natural drainage patterns to the point that vegetative resources receive too much or too little water to permit their ongoing health. In addition, landscape adjacent to areas of preserved*

biological resources shall be designed so as to avoid invasive species which could negatively impact the value of the preserved resource.

BIO-12: ***As part of completion of the final site development, after ground disturbance has occurred within or adjacent to any natural area, the disturbed areas shall be revegetated using a plant mix of native plant species that are suitable for long term vegetation management at the specific site, which shall be implemented in cooperation with regulatory agencies and with oversight from a qualified biologist. The seeds mix shall be verified to contain the minimum amount of invasive plant species seeds reasonably available for the project area.***

BIO-13: ***Clean Construction Equipment. During construction, equipment will be washed before entering the project footprint to reduce potential indirect impacts from inadvertent introduction of nonnative invasive plant species. Mud and plant materials will be removed from construction equipment when working in native plant communities, near special-status plant communities, or in areas where special-status plant species have been identified.***

BIO-14: ***Contractor Education and Environmental Training.***

Personnel who work onsite will attend a Contractor Education and Environmental Training session conducted by a qualified biologist. The environmental training will cover general and specific biological information on the special-status plant species that may be present near the construction site, including the distribution of the resources, the recovery efforts, the legal status of the resources, and the penalties for violation of project permits and laws.

The Contractor Education and Environmental Training sessions will be given before the initiation of construction activities and repeated, as needed, when new personnel begin work within the project limits. Daily updates and synopsis of the training will be performed during the daily safety ("tailgate") meeting. All personnel who attend the training will be required to sign an attendance list stating that they have received the Contractor Education and Environmental Training, and such tracking sheets shall be maintained for inspection by IEUA.

BIO-15: ***Biological Monitor to Be Present during Construction Activities in areas where impacts to Riparian, Riverine, Wetland, Endangered Species or Endangered Species critical habitat occurs. A biological monitor (or monitors) will be present onsite during construction activities that could result in direct or indirect impacts on sensitive biological resources (including listed species) and to oversee permit compliance and monitoring efforts for all special-status resources.***

A biological monitor (qualified biologist) is any person who has a bachelor's degree in biological sciences, zoology, botany, ecology, or a closely related field and/or has demonstrated field experience in and knowledge about the identification and life history of the special-status species or jurisdictional waters that could be affected by project activities. The biological monitor(s) will be responsible for monitoring the construction contractor to ensure compliance with the Section 404 Individual Permit, Section 401 Water Quality Certification and the Lake and Streambed Alteration Agreement. Activities to ensure compliance would include performing construction-monitoring activities, including monitoring environmental fencing, identifying areas where special-status plant species are or may be present, and advising the Contractor of methods that may minimize or avoid impacts on these resources. Biological monitor(s) will be required to be present in all areas during ground disturbance activities and for all construction activities conducted within or adjacent to identified Environmentally Sensitive Areas, Wildlife Exclusion Fencing, and Non-Disturbance Zones as defined by the project biologist.

BIO-16: ***Food and Trash: All food-related trash items (e.g., wrappers, cans, bottles, food scraps) will be disposed of in closed containers and removed at least once a week from the construction site.***

BIO-17: ***Rodenticides and Herbicides: Use of rodenticides and herbicides in the project footprint will be restricted at the direction of the project biologist. This measure is necessary to prevent poisoning of special-status species and the potential reduction or depletion of the prey populations of special–status wildlife species. Where pesticides must be used, they must be used in full accordance with use instructions for the particular chemical and at the direction of the project biologist.***

BIO-18: ***Wildlife Exclusion Fencing: Exclusion barriers (e.g., silt fences) will be installed at the edge of the construction footprint and along the outer perimeter of Environmentally Sensitive Areas and***

Environmentally Restricted Areas as defined by the project biologist prior to the commencement of construction activities to restrict special-status species from entering the construction area during construction. The design specifications of the exclusion fencing will be determined through consultation with the USFWS and/or CDFW, as appropriate. Clearance surveys will be conducted for special-status species after the exclusion fence is installed in compliance with USFWS and/or CDFW requirements. The project biologist shall determine the frequency in which clearance surveys will be conducted to determine the efficacy of the exclusion fencing.

BIO-19: ***Equipment Staging Areas: Prior to the commencement of construction, the Project Proponent shall identify staging areas for construction equipment to be utilized during construction that will be located outside sensitive biological resources areas, including habitat for special-status species, jurisdictional waters, and wildlife movement corridors.***

BIO-20: ***Plastic mono-filament netting (erosion-control matting) or similar material will <u>not</u> be used in erosion control materials to prevent potential harm to wildlife. Materials such as coconut coir matting or tackified hydroseeding compounds will be used as substitutes.***

BIO-21: ***Vehicle Traffic: During ground-disturbing activities, project-related vehicle traffic will be restricted within the construction area to established roads, construction areas, and other designated areas to prevent avoidable impacts. Access routes will be clearly flagged, to ensure traffic outside of the designated areas will be prohibited.***

BIO-22: ***Entrapment Prevention: All excavated, steep-sided holes or trenches more than 8 inches deep will be covered at the close of each working day with plywood or similar materials, or a minimum of one escape ramp constructed of earth fill for every 10 feet of trenching will be provided to prevent the entrapment of wildlife. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. All culverts or similar enclosed structures with a diameter of 4 inches or greater will be covered, screened, or stored more than 1 foot off the ground to prevent use by wildlife. Stored material will be cleared for common and special-status wildlife species before the pipe is subsequently used or moved.***

BIO-23: ***Weed Control Plan: Prior to the commencement of construction, a Weed Control Plan will be developed for IEUA by the project biologist to minimize or avoid the spread of weeds during ground-disturbing activities. In the Weed Control Plan, the following topics will be addressed:***

- ***A schedule for noxious weed surveys shall be addressed.***
- ***Weed control treatments shall be addressed and ultimately implemented by IEUA, including permitted herbicides, and manual and mechanical methods for application; herbicide application will be restricted in Environmentally Sensitive Areas (as defined by the project biologist).***
- ***The timing of the weed control treatment for each plant species shall be addressed.***
- ***Fire prevention measures shall be addressed.***

IEUA shall maintain records demonstrating implementation of the Weed Control Plan, and shall make those records available to inspection by regulatory agency upon request.

BIO-24: ***Dewatering/Water Diversion Plan: If construction is planned to occur where there is open or flowing water, prior to the commencement of construction IEUA shall submit the Dewatering Plan prepared in coordination with the resource agencies (e.g., USACE, SWRCB/RWQCB, and CDFW, as appropriate). The Dewatering Plan shall identify how open or flowing water will be routed around construction areas, such as through the creation of cofferdams. If cofferdams are constructed, implementation of the following cofferdam or water diversion measures shall be implemented to avoid and lessen impacts on jurisdictional waters during construction:***

- ***The cofferdams, filter fabric, and corrugated steel pipe are to be removed from the creek bed after completion of the project.***
- ***The timing of work within all channelized waters is to be coordinated with the regulatory agencies.***
- ***The cofferdam is to be placed upstream of the work area to direct base flows through an appropriately sized diversion pipe. The diversion pipe will extend through the Contractor's work area, where possible, and outlet through a sandbag dam at the downstream end.***
- ***Sediment-catch basins immediately below the construction site are to be constructed when performing in-channel construction to prevent silt- and sediment-laden water from entering the main stream flow. Accumulated sediments shall be periodically removed from the catch basins.***

BIO-25: ***Permanent Water Diversion Projects: IEUA shall continue to support preparation of the annual Prado Basin Habitat Sustainability Monitoring Program. IEUA shall conduct a second-tier CEQA evaluation for a proposed water diversion project associated with the CBP. The potential impacts to Prado Basin and sensitive habitat (for example riparian, wetland, or critical habitat) from implementation of such diversion projects shall receive public review, including pertinent wildlife management agencies and interested parties.***

BIO-26: ***Landscaping at Future CBP Infrastructure Sites: IEUA shall require that any landscaping at future CBP Infrastructure sites shall be landscaped with water-wise or xeric landscape plants (native plants where feasible) to minimize future water demand.***

Implementation of the project specific mitigation measures would minimize construction-related impacts to the greatest extent feasible, including the potential for invasive species occupancy caused by project-related disturbance of natural areas. However, under items "4(a)," "4(b)," and "4(d)"—which pertain to whether the project would (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?, (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 U.S. Fish and Wildlife Service?, and (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?—the substantive mitigation measures provided cannot minimize impacts to these resources below significance levels.

The IEUA Board finds that with the implementation of the above measures, impacts to biological resources from future CBP project implementation would be reduced or controlled to the maximum extent feasible. Regardless, implementation of the CBP will contribute cumulatively to potential significant impacts to the Santa Ana sucker due to the reduction in cumulative flows to the Santa Ana River, and the diversion of water from the CBP is integral to implementation of the proposed project, thus, cumulative biological resource impacts remain potentially significant and unavoidable.

8. Greenhouse Gas Emissions: Only checklist item "(a)," is discussed below as this is the only impact category that is significant and unavoidable.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Unavoidable Significant Impact (pg. 4-213 to 4-218, FPEIR)

Facts: For Construction, IEUA has chosen to incorporate the following GHG emission reduction measures identified by the CAPCOA in its 2010 report, *Quantifying Greenhouse Gas Mitigation Measures*, into CBP construction activities, as defined in Mitigation Measure (MM) **GHG-1**:[2]

- Use alternative fuels for construction equipment;
- Use electric and hybrid construction equipment;
- Limit construction equipment idling beyond regulation requirements;

[2] CAPCOA. 2010. "Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures." August. https://www.aqmd.gov/docs/default-source/ceqa/handbook/mitigation-measures-and-control-efficiencies/quantifying-greenhouse-gas-mitigation-measures.pdf?sfvrsn=0 (accessed October 2021).

- Institute a heavy-duty off-road vehicle plan; and
- Implement a construction vehicle inventory tracking system.

However, since it is not known to what extent these measures will be sufficient to reduce construction emissions below the SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year, it is not possible to ensure that this significant construction-related impact would be avoided. As such, MM **GHG-1** shall be implemented to minimize construction-related impacts to the greatest extent feasible. As discussed previously, construction-related GHG emissions associated with the CBP is forecast to exceed the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027), and therefore would potentially hinder the statewide GHG emission reduction target for 2030. As such, while MM **GHG-1** would minimize impacts to the greatest extent feasible, construction-related impacts from implementation of the proposed CBP would be potentially significant.

The annual GHG emissions of the CBP would depend on whether it is operating during a call year or a non-call year as well as the current renewable energy portfolio of SCE. The GHG emissions associated with CBP operation would result in a significant impact if the CBP would not meet its fair share of GHG reductions required on a statewide basis by 2030 or if it would fail to procure its electricity from carbon-neutral electricity sources by 2045. By procuring electricity from SCE, which is on-track to achieve 60 percent renewables by 2030, the CBP would not generate indirect GHG emissions associated with electricity consumption that exceed the statewide 2030 target.[3] Furthermore, if IEUA were to use its own renewable energy facilities to partially or fully supply the electricity demand of CBP facilities, it would accelerate efforts toward achieving a carbon-neutral electricity supply. Therefore, operation of the CBP would meet its fair share of GHG reductions required to achieve the statewide 2030 GHG reduction target.

According to SB 100, the Renewables Portfolio Standard requires California to obtain 100 percent of its electricity from carbon-neutral sources by 2045. Although it is projected that SCE would have a 100 percent carbon-neutral power supply by 2045, it is speculative to determine with complete certainty whether this will be achieved in the future. Likewise, it is speculative to determine whether IEUA will achieve its goal of carbon neutrality for all its facilities in the next 15 years. Although the CBP would result in a net reduction in total GHG emissions over the 25-year term of the proposed water transfer agreements as compared to existing baseline conditions, the CBP's electricity consumption itself may not be carbon-neutral because GHG emissions may still be generated in both call and non-call years due to the use of electricity supplied from non-renewable energy resources by 2045. As a result of the uncertainty surrounding the future power mix and energy demands of the proposed CBP, the CBP would potentially fail to procure its electricity from carbon-neutral electricity sources by 2045. Therefore, the long-term, indirect impacts of the CBP's operational GHG emissions would be potentially significant in both call and non-call years. Implementation MM **GHG-2** would be required.

[3] California Public Utilities Commission. 2020. "2020 California Renewables Portfolio Standard: Annual Report." November. https://www.cpuc.ca.gov/-/media/cpuc-website/files/uploadedfiles/cpuc_public_website/content/utilities_and_industries/energy_-_electricity_and_natural_gas/2020-rps-annual-report.pdf (accessed October 2021).

Mitigation Measures

The IEUA has determined that the proposed project could contribute potentially significant construction-related greenhouse gas emissions. With implementation of the recommended GHG mitigation measures identified below, GHG emissions could still exceed the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027) and as a result of the uncertainty surrounding the future power mix and energy demands of the proposed CBP, the CBP would potentially fail to procure its electricity from carbon-neutral electricity sources by 2045.

GHG-1: ***IEUA shall implement all feasible GHG reduction measures during construction. These may include, but should not be limited to, the following measures identified in the CAPCOA 2010 report, Quantifying Greenhouse Gas Mitigation Measures:***

- ***Use alternative fuels for construction equipment***
- ***Use electric and hybrid construction equipment***
- ***Limit construction equipment idling beyond regulation requirements***
- ***Institute a heavy-duty off-road vehicle plan***
- ***Implement a construction vehicle inventory tracking system***

GHG-2: ***IEUA shall implement all feasible GHG reduction measures during operations. These may include, but should not be limited to, the following measures identified in the CAPCOA 2010 report, Quantifying Greenhouse Gas Mitigation Measures:***

- ***Exceed Title 24 Building energy efficiency standards***
- ***Procure 100 percent renewable electricity from Southern California Edison, a community choice aggregation program, and/or other on-site and off-site renewable energy systems***
- ***Utilize electric or hybrid vehicles and/or encourage operations and maintenance employees to carpool or otherwise commute using a method other than a single-occupancy fossil-fuel powered vehicle***

Implementation of mitigation that would ensure that IEUA implement all feasible GHG reduction measures during operation and construction is required, but does not reduce either construction- or operations-related emissions to a level of insignificance.

The IEUA Board finds that with the implementation of the above measures, impacts from greenhouse gas emissions generated by future CBP construction and operations would be reduced or controlled to the maximum extent feasible. Regardless, no feasible mitigation is available to minimize construction-related GHG emissions to below significance thresholds or ensure that electricity supporting CBP operations would be obtained from carbon-neutral electricity sources by 2045. Thus, exceedances of applicable SCAQMD regional thresholds are considered significant and unavoidable, and the construction and operation of the proposed project could create a potentially significant cumulative impact to global climate change.

19. Utilities and Service Systems: Only checklist item "(a)" is discussed below as this is the only impact category that is significant and unavoidable.

a) Would the project require or result in the relocation or construction of new or expanded water, electric power, or natural gas facilities, the construction or relocation of which could cause significant environmental effects?

Finding: Unavoidable Significant Impact (pg. 4-500 to 4-507, FPEIR)

Facts: **Water and Wastewater:** The CBP includes the construction of water and wastewater facilities, which constitute the construction of new and expansion or modifications to existing water infrastructure facilities. The environmental effects

associated with the proposed project are documented throughout the FPEIR. As such, given that the proposed CBP is anticipated to result in significant impacts related to construction-related GHG emissions that would exceed the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027), and therefore would potentially hinder the statewide GHG emission reduction target for 2030 that would result from the extension of water- and wastewater-related infrastructure. Such construction of the CBP has the potential to hinder statewide GHG emissions targets.

All mitigation measures identified throughout the FPEIR would otherwise reduce impacts related to the construction of water facilities under all remaining issues set forth in Appendix G of the CEQA Guidelines. Though MM **GHG-1** would reduce construction related GHG emissions to the greatest extent feasible, construction-related GHG emissions associated with the CBP would exceed the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027), and therefore would potentially hinder the statewide GHG emission reduction target for 2030. Thus, the proposed CBP would result in significant and unavoidable impacts related to construction of new or expansion or modifications to existing water facilities.

Stormwater: Implementation of proposed CBP would result in the addition of impervious surfaces that would increase stormwater quantity. This increase could affect on-site drainage patterns as well as off-site drainage volume and require the construction and operation of new and/or expanded stormwater drainage facilities. Mitigation is required to minimize impacts related to the extension of stormwater infrastructure at future CBP facilities.

Implementation of MM **UTIL-1** is sufficient to reduce the potential for impacts related to construction of stormwater facilities through the requirement that the Watermaster or implementing agency prepare a drainage plan prior to construction with facilities that will be included in the project's final design.

Ultimately, through the implementation of MM **UTIL-1**, the CBP would have a less than significant impact related to construction of new or expansion or modifications to existing stormwater facilities.

Electric Power and Natural Gas: The proposed CBP would not cause or result in the need for additional energy producing facilities or energy delivery systems, which includes electricity and natural gas. Given that connection to the electrical power grid and connection to natural gas, where a connection to natural gas is required at future facilities, are minor components of the overall construction of CBP facilities and that the energy analysis concluded that impacts thereof would be less than significant, the provision of these facilities as part of the overall CBP would not cause a significant environmental effect.

However, there is a potential that specific CBP facilities may not have access to electricity or natural gas, and will require either extension of infrastructure or creation of new infrastructure to meet electricity and/or natural gas needs at a future CBP site. As such, mitigation will be required to examine the environmental impacts thereof.

Because it is not known where future CBP facilities will be installed, there may be locations in which energy and/or natural gas services are not available within the immediate vicinity of a given CBP site. As such, MM **UTIL-2** would ensure that a subsequent CEQA documentation is prepared for projects that require extension or development of such infrastructure, which will ensure that any impacts are appropriately assessed and mitigated. Ultimately, through the implementation of mitigation, the CBP would have a less than significant impact related to construction of new or expansion or modifications to existing energy and natural gas facilities.

Telecommunications: The types of facilities proposed as part of the CBP typically would not require extension of telecommunication services. However, given that the facilities proposed as part the CBP have not been designed, there is a potential for certain facilities (such as facilities proposed that would require full-time personnel on site or otherwise require connection to telecommunication facilities) to require extension of telecommunication infrastructure as part of operation. As such, given that the location of most future CBP facilities is unknown, Mitigation Measure **UTIL-3** would be required to ensure that impacts related to extension of infrastructure are minimized for the proposed CBP projects that would require telecommunication services by requiring project-specific subsequent CEQA documentation for projects proposed at sites without immediate access to telecommunication connections.

Because it is not known where future CBP facilities will be installed, there may be locations in which telecommunication services are not available within the immediate vicinity of a given CBP site. As such, MM **UTIL-3** would ensure that a subsequent CEQA documentation is prepared for projects that require extension or development of such infrastructure, which will ensure that any impacts are appropriately assessed and mitigated. Ultimately, through the implementation of mitigation, the CBP would have a less than significant impact related to construction of new or expansion or modifications to existing telecommunications facilities.

Mitigation Measures

The IEUA has determined that the proposed project could contribute potentially significant construction-related greenhouse gas emissions, therefore resulting in a significant impact related to construction or new or expansion or modifications to existing water facilities under utilities and service systems. All other issues under utilities and service systems can be mitigated through the implementation of the following measures:

UTIL-1: ***Implementation of a Drainage Plan to Reduce Downstream Flows. Prior to issuance of permits for construction of project facilities, IEUA shall prepare a drainage plan that includes design features to reduce stormwater peak concentration flows exiting the above ground facility sites (consistent with MS4 requirements) so that the capacities of the existing downstream drainage facilities are not exceeded. These design features could include bio-retention, sand infiltration, return of stormwater for treatment within the treatment plant, and/or detention facilities.***

UTIL-2: ***For future CBP projects that do not have access to electrical or natural gas connections in the immediate vicinity (defined here as a 1,000-foot buffer from a given project site), and will require either extension of infrastructure or creation of new infrastructure to meet electricity and/or natural gas needs at a future CBP facility site, subsequent CEQA documentation shall be prepared that fully analyzes the impacts that would result from extension or development of electrical or natural gas infrastructure.***

UTIL-3: ***For future CBP projects that do not have access to telecommunication connections in the immediate vicinity (defined here as a 1,000-foot buffer from a given project site), and will require either***

extension of infrastructure or creation of new infrastructure to meet telecommunication needs at a future CBP facility site, subsequent CEQA documentation shall be prepared that fully analyzes the impacts that would result from extension or development of electrical or natural gas infrastructure.

GHG-1: IEUA shall implement all feasible GHG reduction measures during construction. These may include, but should not be limited to, the following measures identified in the CAPCOA 2010 report, Quantifying Greenhouse Gas Mitigation Measures:

- ***Use alternative fuels for construction equipment***
- ***Use electric and hybrid construction equipment***
- ***Limit construction equipment idling beyond regulation requirements***
- ***Institute a heavy-duty off-road vehicle plan***
- ***Implement a construction vehicle inventory tracking system***

With implementation of the recommended GHG mitigation measures identified Subchapter 4.9, the Greenhouse Gas Section of the PEIR, GHG emissions may still exceed the SCAQMD thresholds for construction activities. While construction related impacts are mitigated to the maximum extent feasible, no feasible mitigation exists to completely avoid generating significant greenhouse gas emissions within the Chino Basin as a result of implementing these water and wastewater infrastructure projects.

The IEUA Board finds that with the implementation of the above measures, impacts from greenhouse gas emissions generated by future CBP construction and operations would be reduced or controlled to the maximum extent feasible, thereby minimizing the potential for the CBP to cause a significant impact related to the extension of water and wastewater infrastructure. Regardless, no feasible mitigation is available to minimize construction-related GHG emissions to a level of insignificance. Thus, exceedances of applicable SCAQMD thresholds are considered significant and unavoidable, and therefore the proposed CBP could result in significant and unavoidable impacts related to construction or new or expansion or modifications to existing water and wastewater facilities.

Based upon the findings presented in the Final PEIR, the above-described environmental issue has been determined by IEUA to be: (1) adequately addressed in the FPEIR; and (2) impacted to a degree deemed by IEUA to be significant and unavoidable because of the limited ability of the project to fully mitigate biological resource, greenhouse gas emission, and utilities and service systems impacts. No substantial evidence was subsequently presented to or identified by IEUA which further modified or otherwise altered IEUA's significant and unavoidable impact finding with mitigation determined for these environmental issues. This concludes the summary of environmental impacts that were identified in the FPEIR as unavoidable significant adverse impacts even with mitigation related to implementation of the proposed project.

G. ALTERNATIVES TO THE PROPOSED ACTION

The California Environmental Quality Act (CEQA) requires discussion of reasonable project alternatives that could feasibly attain most of the project's objectives (CEQA Guidelines §15126.6). CEQA requires that an PEIR evaluate a reasonable range of alternatives to the project, or to the location of the project that: (1) offers substantial environmental advantages over the proposed project, and (2) may be feasibly accomplished in a successful manner and within a reasonable period of time considering the economic, environmental, legal, social, and technological factors involved.

The purpose in analyzing alternatives to a proposed project is to determine if a feasible or reasonable alternatives “are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly" (CEQA Guidelines, Section 15126.6(b)). The CBP project objectives are to:

- Maintain Permit Compliance for the Continued Use of Recycled Water in the Chino Groundwater Basin.
- Maintain Commitments for Salt Management to Enable Sustainable Use of Recycled Water in the Basin.
- Develop Infrastructure That Addresses Long Term Supply Vulnerabilities.
- Provide a Source of Water for Emergency Response; and,
- Develop an Integrated Solution to Produce State and Federal Environmental Benefits.

The unavoidable significant adverse impacts identified from project implementation are the biological resource (“a,” “b,” and “d”), greenhouse gas (“a”), and utilities and service systems (“a”) impacts. Based upon data provided in the DPEIR, it was concluded that the proposed project could result in significant adverse impacts to biological resources because CBP project operations may result in a reduction in surface flows in the Santa Ana River and into Prado Basin, which, when combined with Low Impact Development ordnances, local policies, and municipal storm water detention regulations will encourage water conservation and flow detention, could result in a cumulative reduction in surface flows reaching Prado Basin, in turn resulting in potential contributions to cumulatively significant impacts to the Santa Ana Sucker due to the reduction in cumulative flows to the Santa Ana River. Additionally, it was concluded that, even with the implementation of mitigation measures designed to reduce greenhouse gas emissions, the CBP would generate construction-related GHG emissions in exceedance of the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027) and cannot ensure that electricity supporting CBP operations would be obtained from carbon-neutral electricity sources by 2045. Finally, it was concluded that the proposed CBP would result in significant impacts related to the construction-related GHG emissions that would result from the extension of water- and wastewater-related infrastructure, as such water and wastewater infrastructure impacts under Utilities and Service Systems are considered significant and unavoidable.

Since mitigation has already been identified to minimize biological resource (“a,” “b,” and “d”), greenhouse gas (“a” and “b”), and utilities and service systems (“a”) impacts within the CBP project area, an alternative that would reduce project-related biological resource, greenhouse gas emission, and utilities and service systems impacts to below a level of significance would result in not implementing the CBP.

Among the factors that may be taken into account when addressing the feasibility of alternatives are environmental impacts, site suitability, economic viability, availability of infrastructure, regulatory limitations, jurisdictional boundaries and whether the applicant could reasonably acquire, control, or otherwise have access to the alternative option. (CEQA Guidelines §15126.6(f)(1)) Since management of water resources in the Chino Basin is an activity that cannot be conducted at another location, this evaluation will not give further consideration to an alternative location for the project. Thus, an alternative location evaluation was rejected as infeasible and unable to meet basic project objectives. A project outside of the Chino Basin cannot achieve the fundamental project objective.

It is the goal of the CBP to enhance both the SWP and the Central Valley Project for the betterment of operations, environment, resilience, and reliability. The CBP will be developed to provide flexibility to regional and local water operations, particularly during future extended droughts expected as climate change continues to impact California. New injection and extraction facilities, conveyance facilities, and water system interconnections will allow more optimal management of local water supplies, including improved storage and recovery operations, as well as redundancies in water delivery infrastructure that will facilitate future rehabilitation and replacement needs. No major changes in the CBP have been identified at this stage that can be implemented without harming its ability to meet the essential program objective of enhancing both the SWP and the Central Valley Project for the betterment of operations, environment, resilience, and reliability, in addition to providing flexibility to regional and local water operations. For example, deferring installation of CBP infrastructure in any given year to reduce construction-related GHG would simply increase the amount of construction required in the following year, thus raising GHG emissions. Therefore, a reduction of the CBP scope in any given year cannot achieve the fundamental project objectives.

One of the alternatives that must be evaluated in an EIR is the "no project alternative," regardless of whether it is a feasible alternative to the project, i.e. would meet the project objectives or requirements. In this case, the CBP PEIR evaluated a No Project Alternative that reflects a "no action" alternative that makes salient the potential impacts and practical results redounding from IEUA not approving the CBP and taking no actions to resolve regulatory compliance issues within the Basin from continued recycled water use. Under this alternative, the environmental impacts that would occur if the CBP facilities and programs are not implemented are evaluated. Under this No Project Alternative, there would be no expansion of existing recycled water systems or groundwater by member agencies of IEUA. Anticipated future growth would generally be served with imported potable water and local agencies would need to increase their water purchases or implement more restrictive conservation programs to satisfy potable water demand. If the ambient water quality in the Chino Basin is not maintained per the RWQCB's TDS limit, there will be greater dependence on imported water and local stormwater supplies, which are highly volatile and impacted by climate change. Since the Basin only receives imported water from one regional pipeline that is owned and operated by MWD, an unplanned or catastrophic occurrence could cut off 25 percent of the Basin's water supply. Ultimately, the No Project Alternative's no action approach would result in the Basin being out of regulatory compliance, threaten water supply, and does not meet IEUA's objectives.

As such, and as required by CEQA, a second, reduced development, alternative that also meets the requirements of analyzing a "no project" alternative is provided below as the Baseline Water Quality Action Alternative. The reason for distinguishing these two alternatives is that for IEUA to take "no action" towards maintaining regulatory compliance means that at some point it will be out of compliance and ultimately, in order for IEUA to continue its operations, an advanced water purification facility would be required in order to comply with its RWQCB permits. As such, the CBP analyzes the environmental consequences of a true "no action" alternative, in addition to the Baseline Water Quality Action Alternative to meet the provisions of CEQA Guidelines Section 15126.6(e)(3)(A) and (B). Though there are a number of solutions that IEUA could implement to address the groundwater recharge challenges associated with TDS and contaminants of emerging concern, none are as optimal as the implementation of advanced water purification. The Baseline Water Quality Action Alternative (BWQAA) would address TDS levels for both direct use of recycled water and groundwater recharge and could also help address the challenges associated with Title 22 regulations. The BWQAA considers a centrally located advanced water purification system can be linked with the existing distribution system providing greater flexibility for use of the advanced treated water, providing greater benefit to the region as an available

supply and solutions for brine discharge that are more economically feasible. Also, it has the potential to be integrated in the future as direct potable reuse when such regulations are adopted. The BWQAA is only designed to meet water quality related regulatory challenges and does not include infrastructure to enhance regional water supply. As a result, the BWQAA provides water quality benefits to IEUA and the region, but no water supply, ecosystem, or emergency supply benefits are realized through the BWQAA.

Finally, the CBP also analyzes a Regional Water Quality and Reliability Plan Alternative, which addresses regional water quality and water supply challenges. The Regional Water Quality and Reliability Plan Alternative would collectively treat and store up to 15,000 AFY of recycled water in the Chino Basin, creating a new local water supply. This water will be available for local use for the 50-year project life of the alternative, thereby reducing dependence on imported water, improving water quality, and providing a new local water supply for the Basin. The production of high-quality water in the Chino Basin will deliver regional benefits in the form of enhanced water quality. The Regional Water Quality and Reliability Plan Alternative will also deliver regional benefits in the form of local water supply benefits available annually to offset the cost of imported water from MWD as well as to reduce the economic impact of supply shortages when MWD is unable to deliver full water supplies.

Therefore, the PEIR considered three alternatives: the No Project Alternative; the Baseline Water Quality Action Alternative; and the Regional Water Quality and Reliability Plan Alternative.

NO PROJECT ALTERNATIVE

A summary comparative discussion of the No Project Alternative (NPA) in terms of the specific issues evaluated in the PEIR (Aesthetics, Agriculture and Forestry Resources, Air Quality, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Wildfire). The following text assesses the impacts for the categories with unavoidable significant effects: Biological Resources, Greenhouse Gas Emissions, and Utilities and Service Systems.

Biological Resources: The NPA will have no significant biological resource impacts as it would not require any diversions from the Santa Ana River. The elimination of diversions from the Santa Ana River has the potential to eliminate the potentially significant impacts to the Santa Ana Sucker. When mitigation is implemented—primarily avoidance of biologically sensitive areas or compensation to offset losses to sensitive biological resources—the proposed CBP approaches the level of significance regarding biological resource to those that would result from the NPA's impacts, but a potential still exists for significant impacts under the CBP as a result of the diversion of recycled water from the Santa Ana River thus impacting the Santa Ana Sucker as the available mitigation to protect this species cannot be guaranteed to minimize impacts below significance thresholds. Under the NPA, no facilities would be installed that could impact site specific biological resources, and recycled water discharge would continue from IEUA as it does at present, thus eliminating the potential for contributing to cumulative impacts to species or habitat supported by the Santa Ana River. As such, under this evaluation and set of assumptions, the CBP's effects on biological resources is considered to be greater than the NPA, and the NPA would avoid a significant impact on biological resources that would otherwise result from implementation of the CBP.

It should be noted, however, that the NPA would eliminate the potential environmental benefit that would result from the CBP. As discussed in Chapter 3 of this DPEIR, the CBP would provide

environmental benefit in call years, which will likely be in dry seasons, to improve habitat conditions enabling Feather River salmonid species greater chance for survival. The NPA would not only forgo this environmental benefit, but it would also result in a threat to the reliability of water supply in the Chino Basin. Given this, the NPA is not considered environmentally superior to the CBP in the area of biological resources.

Greenhouse Gas: The NPA would not result in any new facilities that have been proposed to operate the CBP. The IEUA and member agencies would instead continue in a business-as-usual manner, which ultimately would result in the Chino Basin being out of regulatory compliance due to the continued use of recycled water containing higher levels of TDS. Anticipated future growth would generally be served with imported potable water, and local agencies would need to increase their water purchases or implement more restrictive conservation programs to satisfy potable water demand. With no specific facilities required under the NPA, the NPA would have minimal potential to result in significant greenhouse impacts. Because no expansion of existing recycled water systems or groundwater by member agencies of IEUA would occur, including the addition of an AWPF in conjunction with PUT and TAKE facilities as proposed by the CBP, greenhouse gas (GHG) emissions under the NPA would likely be less than those of the proposed CBP. Given that the NPA represents an alternative with no new construction or operational activities outside of the scope of a business-as-usual scenario (i.e., continuation of practices that have already been evaluated and approved under CEQA or that fall outside of the scope of CEQA), the NPA would have no potential to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. As such, under this evaluation and set of assumptions, the NPA would result in fewer overall construction and operational GHG emissions compared to the proposed CBP. The proposed CBP would result in significant and unavoidable GHG impacts, while the NPA would not result in any significant impacts thereof. As such, the NPA would avoid a significant impact on biological resources that would otherwise result from implementation of the CBP.

Utilities and Service Systems: The NPA would not result in any new facilities that have been proposed to operate under the CBP. Anticipated future growth would generally be served with imported potable water and local agencies would need to increase their water purchases or implement more restrictive conservation programs to satisfy potable water demand. Under the CBP, significant impacts to stormwater drainage, energy, natural gas telecommunications, or solid waste were determined to be less than significant with the implementation of mitigation, and under the NPA, specifically as it relates to utilities infrastructure, it is anticipated that no impact to these utility systems would occur. Under the CBP mitigation is required to minimize impacts related to stormwater through implementation of a drainage plan to reduce downstream flows for future CBP projects; this would be not required to implement the NPA, as IEUA would continue operating its existing facilities in the same manner as it would at present. The CBP would generate solid waste during operation and construction and mitigation is required to address potential impacts related to solid waste to a level of insignificance. In contrast, under the NPA, the IEUA would not cause any impacts to solid waste as it would be required to comply with mandatory regulations pertaining to solid waste, and would not generate any new sources of solid waste requiring additional analysis.

The construction of infrastructure related to energy and natural gas and telecommunication under the CBP was analyzed and determined to be less than significant with the implementation of mitigation. This mitigation would not be required to reduce impacts under the NPA, as existing facilities are currently served by adequate electricity and natural gas, and telecommunication service systems. Under the CBP, the construction of infrastructure related to telecommunications

was determined to be less than significant with the implementation of mitigation; this mitigation would not be required to reduce impacts under the NPA, as existing facilities are currently serviced by adequate telecommunication systems. As such, for the issues of solid waste and stormwater drainage, electricity, natural gas, and telecommunications, the CBP would require mitigation to minimize impacts to a level of less than significant, while the BWQAA would not require mitigation to achieve this level of impact, but neither would result in significant impacts in these areas.

The extension of water and wastewater related infrastructure was determined to be significant under the CBP, while the NPA would eliminate those potentially significant construction-related GHG emissions impacts. Under both the NPA and the CBP, sufficient capacities are anticipated to be available at IEUA and area wastewater treatment plants. However, the resulting recycled water from the wastewater treatment plants may become unusable if the Basin would become out of regulatory compliance. If the ambient water quality in the Basin is not maintained per the RWQCB's TDS limit, there will be greater dependence on imported water and local stormwater supplies, which are highly volatile and impacted by climate change. Since the Basin only receives imported water from one regional pipeline that is owned and operated by MWD, an unplanned or catastrophic occurrence could cut off 25 percent of the Basin's water supply. A No Action approach results in the Chino Basin being out of regulatory compliance and threatens water supply. Therefore, when compared to the CBP, which would ensure that IEUA and member agencies would have sufficient water supplies available to serve the Basin and reasonably foreseeable future development during normal, dry and multiple dry years, once mitigation is implemented, the NPA would have a potential to result in a significant impact as under this alternative, the provision of sufficient water supply is not guaranteed. As such, under this evaluation and set of assumptions the proposed project effects on utilities and service systems would be significant, and as such would not eliminate the significant impact that is anticipated to occur under the CBP. Impacts from both the CBP and the NPA would be significant and unavoidable under this issue.

While the No Project Alternative (NPA) would reduce impacts related to Biological Resources, GHG emissions and a part of Utilities and Service Systems below significance levels, the NPA has a potential to result in a significant impact to the Basin's hydrology resources and water quality characteristics, and may impact the sustainability of the Basin's groundwater supply, thereby resulting in significant Hydrology and Water Quality and Utilities and Service Systems impacts. As such, the NPA is not considered to be the environmentally superior alternative. Additionally, the ability to attain the goals and objectives of the CBP under this alternative would be virtually eliminated.

BASELINE WATER QUALITY ACTION ALTERNATIVE

The reduced development BWQAA was included in the PEIR in accordance with CEQA Guidelines Section 15126.6(e)(3)(A) and (B). Given that it is reasonably foreseeable that, without the implementation of the CBP, actions will need to be taken to ensure that IEUA remains in regulatory compliance through its continued operations, the BWQAA (Alternative 1), is provided to address this foreseeable result.

Under the BWQAA, centrally located advanced water purification facilities will be used with IEUA's existing conveyance system to help address the region's regulatory compliance challenges. The expected effluent TDS concentration from the AWPF is 100 mg/L. The AWPF would have a capacity comparable to that which is proposed by the CBP, and similarly, would be located at RP-4. This low-TDS recycled water could be used to meet discharge obligations to the Santa Ana River, or for blending into IEUA's existing recycled water distribution system using existing

conveyance, significantly reducing recycled water TDS concentrations. Once blended into IEUA's recycled water distribution system, the augmented recycled water supply could be used for groundwater recharge or for indirect potable use.

Table 5-1
ALTERNATIVE 1: BASELINE WATER QUALITY ACTION ALTERNATIVE FACILITIES

Parameter	Description
AWPF	
Location	RP-4
Process	MF/RO/UV-AOP
Capacity (AFY)	15,000[1]
Purified water conveyance	
Pump station	
Location	RP-4
Size	1,500 HP
Brine conveyance	
Disposal system	NRWS
Pipeline	1,400 feet (8-inch)

Notes: 1 Phased with 9,000 AFY online by 2030 and the remaining 6,000 AFY by 2040
HP: horsepower; MF: membrane filtration; RO: reverse osmosis; UV-AOP: ultraviolet advanced oxidation process

A summary comparative discussion of the Baseline Water Quality Action Alternative (BWQAA) in terms of the specific issues evaluated in the PEIR found not to be significant (Aesthetics, Agriculture and Forestry Resources, Air Quality, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Wildfire) can be found in the CBP PEIR. The following text assesses the impacts for the categories with unavoidable significant effects: Biological Resources, Greenhouse Gas Emissions, and Utilities and Service Systems.

Biological Resources: As with the CBP, development of the BWQAA would result in diversion of recycled water from the Santa Ana River through the development of a new AWPF with an ultimate capacity of 15,000 AFY, requiring a diversion of 17,000 AFY in total to support the AWPF operations. However, unlike the CBP, under the BWQAA, the diversions would continue to the Santa Ana River in comparable amounts to that which occur at present. Thus, the recycled water would be treated to a higher quality and discharged or recharged in comparable amounts to those that would occur under IEUA's current operations. As such, while development of the CBP would have a potential to cause significant unavoidable adverse impact to biological resources, specifically though the cumulative contribution to potential significant impacts to the Santa Ana Sucker due to the reduction in cumulative flows to the Santa Ana River, the BWQAA would not contribute to this cumulatively considerable impact on the Santa Ana Sucker, as IEUA would not be forecast to reduce flows thereto. Furthermore, the potential for impacting site-specific biological resources would be lessened under the BWQAA when compared to the CBP, which would implement a greater number of facilities at locations presently unknown. Thus, there is a potential that a future CBP facility may be developed in an area containing significant biological resources; however, mitigation is available to ensure that a future CBP facility would not be developed in an area containing significant biological resources that cannot be avoided. These same measures would apply to the facilities that would be developed under the BWQAA, though it is likely less

measures would be required due to the anticipated development within existing developed sites. As such, under this evaluation and set of assumptions, the proposed CBP's effects on biological resources would likely be greater than the BWQAA, and the BWQAA would avoid a significant impact on biological resources that would otherwise result from implementation of the CBP.

It should be noted too, that the BWQAA would eliminate the potential environmental benefit that would result from the CBP. As discussed in Chapter 3 of the PEIR, the CBP would provide environmental benefits in call years, which will likely be in dry seasons, to improve habitat conditions enabling Feather River salmonid species greater chance for survival.

Greenhouse Gas: The BWQAA would include construction of an AWPF and a pump station at RP-4 as well as a brine pipeline. Similar to the proposed CBP, construction and operation of these components would generate GHG emissions. However, because fewer facilities would be constructed under the BWQAA as compared to the proposed CBP (e.g., no groundwater wells, no storage reservoir, no wellhead treatment facilities), construction and operational GHG emissions would likely be lower than those of the proposed CBP. As such, while the CBP could result in significant construction GHG construction emissions even with the implementation of MM **GHG-1,** the BWQAA would not result in significant construction emissions, as it would require less intensive construction than the CBP. As such, the CBP would avoid a potentially significant construction-related GHG emissions impact.

As with the proposed CBP, this alternative would not exceed the statewide 2030 target through generation of indirect GHG emissions associated with electricity consumption because IEUA would likely procure electricity from SCE, which is on-track to achieve 60 percent renewables by 2030. As the proposed CBP and, by extension the BWQAA, have long operational horizons, it is not possible to know with certainty that the BWQAA, which would contribute less operational GHG emissions than the CBP as a result of the minimal energy intensive facilities required to facilitate its operation, would procure its electricity from carbon-neutral electricity sources by 2045. This analysis assumes that, due to the focused types of facilities required to operate the BWQAA—i.e., an AWPF at RP-4, at which, the phased capacity approach could possibly enable the planning of alternative energy sources to serve this facility by IEUA, a pump station, and a brine pipeline—electricity would likely be procured from carbon-neutral electricity sources by 2045. However, because of the uncertainty surrounding future power mix and energy demands, this assumption is not guaranteed, and therefore, it is possible that a significant operations-related GHG impact could also occur with the BWQAA should the future power mix fail to meet the carbon-neutral electricity requirement by 2045.

While the CBP would result in the net reduction of GHG emissions associated with the CBP's avoidance of SWP imports during call years, the BWQAA would not facilitate a water exchange with MWD, and as such, it would not result in a direct offset of energy emissions related to utilization of imported water in the Basin. Ultimately, similar to the proposed CBP, the operations-related GHG emissions impacts of this alternative would be potentially significant, even with the implementation of MM **GHG-2**. Implementation of MM **GHG-2** may reduce the energy usage and associated GHG emissions of facilities constructed under the BWQAA and increase the percentage of electricity supplied to the proposed facilities by renewable energy resources, which would reduce operational GHG emissions. Nevertheless, as with the proposed CBP, implementation of MM **GHG-2** may not fully mitigate the impacts of the BWQAA if IEUA is not able to supply the remaining electricity demand of these facilities from carbon-neutral electricity sources by 2045 or otherwise mitigate the operational emissions of the BWQAA. As such, under this evaluation and set of assumptions, while the BWQAA would likely result in fewer overall construction and operational GHG emissions, the level of significance of its GHG emissions

impacts would be similar to that which would occur under the CBP and would therefore be potentially significant and unavoidable.

Utilities and Service Systems: Under the CBP, significant impacts to stormwater drainage, energy, natural gas telecommunications, or solid waste were determined to be less than significant with the implementation of mitigation, and it is anticipated that the BWQAA would have comparable, but less potential to impact these utility systems than the CBP. Under the CBP mitigation is required to minimize impacts related to stormwater through implementation of a drainage plan to reduce downstream flows for future CBP projects; this would be required to minimize impacts from the AWPF, pump station, and brine pipeline that would be developed under the BWQAA. As the BWQAA and CBP would both generate solid waste during operation and construction, with the BWQAA generating less solid waste than the CBP, mitigation is required to address potential impacts related to solid waste. The construction of infrastructure related to energy and natural gas, and telecommunications under the CBP was analyzed and determined to be less than significant with the implementation of mitigation. This mitigation would not be required to reduce impacts under the BWQAA as this alternative would be installed within RP-4, which already has access to electricity and telecommunication services, and the brine pipeline would not require electricity beyond the pump station required at RP-4. As such, for the issues of electricity, natural gas, and telecommunications, the CBP would require mitigation to minimize impacts to a level of less than significant, while the BWQAA would not require mitigation to achieve this level of impact. However, for the issues of solid waste and stormwater drainage, mitigation would be required to minimize impacts to a level of less than significant for both the CBP and the BWQAA.

The extension of water and wastewater related infrastructure was determined to be potentially significant under the CBP, and as the BWQAA by eliminating those potentially significant construction-related GHG emissions impacts, would eliminate the potential for those significant impacts to occur. As with the CBP, the BWQAA would ensure the provision of sufficient wastewater treatment capacity at area wastewater treatment plants through mitigation ensuring subsequent CEQA documentation is required where more brine conveyance capacity is required than area brine disposal facilities can accommodate. This is required because the BWQAA would generate similar, though slightly less overall brine from the AWPF process. The CBP would generate additional brine associated with wellhead treatment facilities that are not considered under the BWQAA. Construction of the CBP has the potential to hinder statewide GHG emissions targets, and therefore the proposed CBP could result in significant and unavoidable impacts related to construction of new or expansion or modifications to existing water and wastewater facilities. Given that the BWQAA eliminates the potential for this construction-related GHG emissions impact as a result of the less intensive construction scenario required to develop the facility, and also due to the phased capacity approach proposed by the BWQAA, the BWQAA would eliminate the potentially significant utilities and service systems impact when compared to the CBP.

The BWQAA would lessen impacts in all categories to a level of less than significant, though it would continue to contribute to significant operational GHG emissions. The BWQAA would not require as intensive construction, as it does not propose the same intensity of facilities proposed by the CBP. As such, the BWQAA would result in lessened environmental impacts for all other resource issues and would also avoid potentially significant impacts under Biological Resources and Utilities and Service Systems, though significant operations related GHG impacts could still occur under this alternative. The BWQAA would not create any new significant impacts beyond those identified by the CBP. As such, it is considered an environmentally superior alternative to the CBP; however, the BWQAA would not achieve many of the CBP's objectives.

While the BWQAA would meet permit compliance for the continued use of recycled water in the Chino Basin and would maintain commitments for salt management to enable sustainable use of recycled water in the Basin, the BWQAA would not develop infrastructure that addresses long term supply vulnerabilities, provide a source of water for emergency response, or develop an integrated solution to produce State and federal environmental benefits.

REGIONAL WATER QUALITY AND RELIABILITY PLAN ALTERNATIVE

The Regional Water Quality and Reliability Plan (Alternative 2), builds upon the BWQAA to address regional water quality and water supply challenges.

Table 5-2
AWPF AND PUT FACILITIES FOR ALTERNATIVE 2:
REGIONAL WATER QUALITY AND RELIABILITY PLAN

Parameter	Description
Recharge Locations	MZ-2
AWPF	
Location	RP-4
Process	MF/RO/UV-AOP
Capacity (AFY)	15,000
Purified water conveyance	
Pipelines	7.1 miles (8-inch to 30-inch)
Pump station	
Location	RP-4
Size	1,500 HP
Number of injection wells	16 (12 duty, 4 standby)
Brine conveyance	
Disposal system	NRWS
Pipeline	1,400 feet (8-inch)

HP: horsepower; MF: membrane filtration; RO: reverse osmosis; UV-AOP: ultraviolet advanced oxidation process

The Regional Water Quality and Reliability Plan would collectively treat and store up to 15,000 AFY of recycled water in the Chino Basin, creating a new local water supply. This water will be available for local use for the 50-year project life of the alternative, thereby reducing dependence on imported water, improving water quality, and providing a new local water supply for the Basin. The Regional Water Quality and Reliability Plan would include a network of regional pipelines that would provide the ability for IEUA and its member agencies to access stored water in the Chino Basin, connecting these new potable water supplies for use in lieu of planned water deliveries from MWD. These new water conveyance and water system interconnections also provide an important alternative source of water supply to IEUA and its member agencies during any required shutdown of MWD's major pipelines delivering water to the region, such as the Rialto Pipeline, which is planned for rehabilitation as part of a larger rehabilitation plan of MWD's pipelines within its service area.

The production of high-quality water in the Chino Basin will deliver regional benefits in the form of enhanced water quality. The Regional Water Quality and Reliability Plan will also deliver regional benefits in the form of local water supply benefits available annually to offset the cost of imported

water from MWD as well as to reduce the economic impact of supply shortages when MWD is unable to deliver full water supplies. In addition, the Regional Water Quality and Reliability Plan provides local emergency supply benefits in years when planned or unplanned service disruptions occur.

A summary comparative discussion of the Regional Water Quality and Reliability Plan in terms of the specific issues evaluated in the PEIR found not to be significant (Aesthetics, Agriculture and Forestry Resources, Air Quality, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Wildfire) can be found in the CBP PEIR. The following text assesses the impacts for the categories with unavoidable significant effects: Biological Resources, Greenhouse Gas Emissions, and Utilities and Service Systems.

Biological Resources: As with the CBP, development of Alternative 2 would result in diversion of recycled water from the Santa Ana River through the development of a new AWPF with an ultimate capacity of 15,000 AFY, requiring a diversion of 17,000 AFY in total to support the AWPF operations. As such, the potentially significant impact identified under this issue that could result from the CBP's diversion of flow to the Santa Ana River could also occur under Alternative 2. Furthermore, because the specific locations for future CBP and Alternative 2 projects are not presently known, there is a potential that a future facility for both may be developed in an area containing significant biological resources that cannot be avoided. Substantial mitigation provided under the CBP would therefore apply to Alternative 2 to ensure that a future facility would not be developed in an area containing significant biological resources that cannot be avoided. However, it has been determined that even with the implementation of substantial mitigation measures to avoid contributing to cumulatively considerable impacts to covered species and supporting habitat, which can be mitigated by implementing the HCP, impacts to one species may not be completely avoided. Thus, both the CBP and Alternative 2 could potentially cause a significant unavoidable adverse impact to biological resources, specifically implementation could contribute cumulatively to potentially significant impacts to the Santa Ana Sucker due to a reduction in cumulative flows to the Santa Ana River.

It should be noted that Alternative 2 would eliminate the potential environmental benefit that would result from the CBP. As discussed in Chapter 3 of this DPEIR, the CBP would provide environmental benefit in call years, which will likely be in dry seasons, to improve habitat conditions enabling Feather River salmonid species greater chance for survival.

Greenhouse Gas: Similar to the proposed CBP, construction and operation of these components would generate GHG emissions. Modestly fewer facilities would be constructed under Alternative 2 as compared to the proposed CBP. Therefore, construction and operational GHG emissions would likely be somewhat lower than those of the proposed CBP. Given the comparable levels of construction required to develop the facilities proposed under Alternative 2, construction related GHG impacts would be the same as those projected for the CBP. As such, while MM **GHG-1** would minimize impacts to the greatest extent feasible, construction-related impacts from implementation of both the CBP and Alternative 2 could be potentially significant.

As with the proposed CBP, this alternative would not generate indirect GHG emissions associated with electricity consumption that exceed the statewide 2030 target because IEUA would likely procure electricity from SCE, which is on-track to achieve 60 percent renewables by 2030. However, similar to the proposed CBP, Alternative 2 would potentially fail to procure its electricity from carbon-neutral electricity sources by 2045 because of the uncertainty surrounding the future

power mix and energy demands. Furthermore, Alternative 2 would not have the potential to result in the net reduction of GHG emissions associated with the CBP's avoidance of SWP imports during call years. Therefore, similar to the proposed CBP, the GHG emissions impacts of Alternative 2 could be potentially significant and implementation of MM **GHG-2** would be required. Nevertheless, implementation of MM **GHG-2** may not fully mitigate the impacts of Alternative 2 if IEUA is not able to supply the remaining electricity demand of these facilities from carbon-neutral electricity sources by 2045 or otherwise mitigate the operational emissions of Alternative 2. As such, under this evaluation and set of assumptions, Alternative 2 would likely result in similar or potentially cumulatively greater overall construction or operational GHG emissions, and the level of significance of the GHG emissions impacts of Alternative 2 would be similar to that which would occur under the CBP and both could be significant and unavoidable.

Utilities and Service Systems: Under the CBP, significant impacts to stormwater drainage, energy, natural gas telecommunications, or solid waste were determined to be less than significant with the implementation of mitigation, and as with the CBP, specifically as it relates to utilities infrastructure, it is anticipated that Alternative 2 would have a comparable potential to impact these utility systems as the CBP. Under the CBP, mitigation is required to minimize impacts related to stormwater through implementation of a drainage plan to reduce downstream flows for future CBP projects; this would be required to minimize impacts from the facilities that would be developed under Alternative 2. As Alternative 2 and CBP would both generate solid waste during operation and construction, mitigation is required to address potential impacts related to solid waste. The construction of infrastructure related to energy and natural gas, and telecommunications under the CBP was analyzed and determined to be less than significant with the implementation of mitigation. This mitigation would also be required to reduce those same impacts under Alternative 2 as this alternative would be installed within locations that have not yet been selected. Thus, for the issues of solid waste, stormwater drainage, electricity, natural gas, and telecommunications, mitigation would be required to minimize impacts to a level of less than significant for both the CBP and Alternative 2.

The extension of water and wastewater related infrastructure was determined to be potentially significant under the CBP, and as Alternative 2 would not eliminate the significant construction-related GHG emissions impact, Alternative 2 could also have a potential for similar significant impacts to occur. As with the CBP, Alternative 2 would ensure the provision of sufficient wastewater treatment capacity at area wastewater treatment plants through mitigation. This is required because Alternative 2 would generate similar amounts of brine from the AWPF process. As previously stated, the CBP could result in potentially significant impacts related to construction-related GHG emissions that would exceed the approximated SCAQMD threshold for 2030 of 6,000 MT of CO_2e per year during the most intensive year of construction activities (2027), and therefore could potentially hinder the statewide GHG emission reduction target for 2030 that would result from the extension of water- and wastewater-related infrastructure. As such, construction of the CBP has the potential to hinder statewide GHG emissions targets, and therefore could result in significant and unavoidable impacts related to construction of new or expansion or modifications to existing water and wastewater facilities. Given that Alternative 2 does not eliminate the potential for this construction-related GHG emissions impact, Alternative 2 could likewise result in comparable impacts; thus, under both the CBP and Alternative 2, utilities and service systems impacts are significant and unavoidable.

Alternative 2 is comparable to the CBP in terms of environmental impacts because Alternative 2 would result in the development of nearly identical facilities to the CBP, excepting those which the CBP requires in order to connect to MWD's water distribution system. It is possible that, due to reduction in pipeline lengths and turnouts required under this alternative when compared to the

CBP, the construction related GHG emissions impact would be eliminated, but given the comparable construction scenarios, the elimination of this construction related GHG impact is not guaranteed. Furthermore, because Alternative 2 would not result in offset electricity consumption that would result from the water exchange with the SWP created by the CBP, it is likely the Alternative 2 would result in greater GHG emissions than would the CBP, and as such would not eliminate the operations-related GHG impact. Note that Alternative 2 would ultimately reduce reliance on imported water, thus some of the energy related GHG emissions that may result from operation of Alternative 2 facilities would ultimately be offset by reducing reliance on the energy intensive imported water source. Regardless, Alternative 2 could result in a significant operations-related GHG emissions impact. Furthermore, Alternative 2 would not eliminate significant Biological Resources or Utilities and Service Systems impacts. As such, while Alternative 2 would lessen significant impacts under GHG, it would not eliminate significant impacts under any of the categories for which significant impacts have been identified under the CBP. Therefore, Alternative 2 cannot be considered an environmentally superior alternative.

Furthermore, while Alternative 2 would meet nearly all of the CBP's objectives, it would not meet one of the IEUA's basic objectives, which is to develop an integrated solution to produce State and federal environmental benefits. As such, under Alternative 2, the improvement of habitat conditions enabling Feather River salmonid species greater chance for survival would be eliminated, thus failing to meet this project objective.

CONCLUSION

The "no action" No Project Alternative (NPA) analyzed above would ultimately not be feasible as it would lead to IEUA having to take actions in order to comply with mandatory regulatory requirements in order to continue operating as usual. As such, the NPA analyzed above would neither be feasible nor would it meet the fundamental project objectives outlined in the CBP Project Description. The NPA generally has lessened environmental impacts for all of the resource issues except for hydrology and water quality issues, as it is forecast to result in new significant unavoidable adverse impacts to hydrology and water quality, and would cause greater significant unavoidable adverse impacts under utilities and service systems than the CBP. This is because the NPA would result in the Chino Basin being out of regulatory compliance and would threaten water supply reliability. In the final analysis, the NPA clearly cannot be considered the environmentally superior alternative to the proposed project from a total environmental standpoint, because the environmental damage from "implementing" it is forecast to cause a significant adverse impact when compared to implementing CBP. It should be noted too, that the NPA would eliminate the potential environmental benefit that would result from the CBP. As discussed in Chapter 3 of this DPEIR, the CBP would provide environmental benefit in call years, which will likely be in dry seasons, to improve habitat conditions enabling Feather River salmonid species greater chance for survival. The NPA would not only forgo this environmental benefit, but it would also result in a threat to the reliability of water supply in the Chino Basin. Given this, the NPA is not considered an environmentally superior alternative.

The practical result of IEUA not approving the CBP would be IEUA at some point having to build a reduced development project like the Baseline Water Quality Action Alternative (BWQAA; Alternative 1), as a way to provide the facilities required in order for the use of recycled water in the Chino Basin to continue under current permits and regulations. The reduced development BWQAA, which as noted above is basically a "practical result" no project alternative, would lessen environmental impacts in all categories to a level of less than significant, though it could continue to contribute to potentially significant operational GHG emissions. This is because, while it is likely that electricity would be procured from carbon-neutral electricity sources by 2045, it is possible

that a significant operations-related GHG impact could occur should the future power mix fail to meet the carbon-neutral electricity requirement by 2045. The BWQAA would not require as intensive construction as the CBP, and as such the BWQAA would not create any new significant impacts beyond those identified by the CBP and result in lessened environmental impacts compared to the CBP. The BWQAA would also avoid Biological Resources and Utilities and Service Systems significant impacts, although potentially significant operations related GHG impacts could still occur under it. As such, the BWQAA is considered the environmentally superior alternative to the CBP, though the BWQAA would not achieve several of the CBP's basic objectives. While the BWQAA would meet permit compliance for the continued use of recycled water in the Chino Basin and would maintain commitments for salt management to enable sustainable use of recycled water in the Basin, the BWQAA would not develop infrastructure that addresses long term supply vulnerabilities, provide a source of water for emergency response, or develop an integrated solution to produce State and federal environmental benefits.

The Regional Water Quality and Reliability Plan Alternative (Alternative 2) is comparable to the CBP in terms of environmental impacts. Because Alternative 2 would result in the development of nearly identical facilities to the CBP, excepting those which the CBP requires in order to connect to MWD's water distribution system, most of the impacts related to Alternative 2 are the same as those identified under the CBP. It is possible that, due to reduction in pipeline lengths and turnouts required under Alternative 2 when compared to the CBP, the construction related GHG emissions impact would be eliminated, but given the comparable construction scenarios, the elimination of this construction related GHG impact is not guaranteed. However, because Alternative 2 would not result in offset electricity consumption that would redound from the water exchange with the SWP created by the CBP, it is likely the Alternative 2 would result in greater GHG emissions than would the CBP, and as such would not eliminate operations-related GHG impact. Note that Alternative 2 would ultimately reduce reliance on imported water; thus, some of the energy related GHG emissions that may result from operation of Alternative 2 facilities would ultimately be offset by reducing reliance on the energy intensive imported water source. Regardless, Alternative 2 would result in a significant operations-related GHG emissions impact. Furthermore, Alternative 2 would not eliminate significant Biological Resources or Utilities and Service Systems impacts. As such, while Alternative 2 would lessen significant impacts under GHG, it would not eliminate significant impacts under any of the categories for which significant impacts have been identified under the CBP. Therefore, Alternative 2 cannot be considered an environmentally superior alternative to the CBP.

Furthermore, while Alternative 2 would meet nearly all of the CBP's objectives, it would not meet one of the IEUA's basic objectives, which is to develop an integrated solution to produce State and federal environmental benefits. As such, under Alternative 2, the improvement of habitat conditions enabling Feather River salmonid species greater chance for survival would be eliminated, thus failing to meet this project objective.

This concludes the summary of alternatives that were identified and considered in the FPEIR and their feasibility and capability to be implemented to reduce the identified significant impacts to biological resource, greenhouse gas emission, and utilities and service systems.

H. PROJECT BENEFITS

The IEUA Board proposes to achieve the key objectives of the CBP—Maintain long-term permit compliance for the continued use of recycled water in the Chino Groundwater Basin; Maintain commitments for salt management to enable sustainable use of recycled water in the Basin;

Develop infrastructure that addresses long term supply vulnerabilities; Provide a source of water for emergency response; and Implement an integrated solution to produce state and Federal environmental benefits. IEUA has proposed to implement a series of one-time actions and ongoing management processes that help provide flexibility to regional and local water operations, particularly during future extended droughts expected as climate change continues to impact California. The term for the water exchange program proposed by the CBP will be fixed at 25 years for a total volume of 375,000 acre-feet, after which time the CBP will be devoted to meeting local water management needs while fulfilling commitments to improve water quality in the Chino Groundwater Basin and provide a source of emergency water supply.

BENEFITS OF IMPLEMENTING THE PROPOSED PROJECT

1. **Environmental benefits**: The CBP would develop new southern California advanced water treatment supplies to be stored in the Chino Groundwater Basin and exchanged in dry years for southern California-bound SWP supplies stored in northern California. The stored northern California water would subsequently be released as multi-day pulse flows to support anadromous fish populations in the Feather River and the Sacramento-San Joaquin Delta (Delta), providing a statewide public benefit.
    - Populations of native Chinook salmon have declined dramatically since European settlement of the Central Valley in the mid-1800s. California's salmon resources began to decline in the late 1800s and continue to decline. As urban and agricultural development of the Central Valley continued, numerous other stressors to anadromous salmonids emerged and continue to affect the viability of these fish today. Some of the more important stressors include: the high demand for limited water supply resulting in reduced instream flows, increased water temperatures and highly altered hydrology in the Sacramento-San Joaquin Delta, barriers to historic habitat, widespread loss of tidal marsh, riparian and floodplain habitat, poor water quality, commercial and/or recreational harvest, and predation from introduced species such as striped bass.
    - The provision of pulse flows through the implementation of the CBP and the cumulative contribution to pulse flows from similar projects would provide environmental benefit to a species that has experienced severe stressors in recent decades. For instance, temperatures during the summer and shoulder seasons (late Spring and early Fall) in recent years have been at a record high, thus causing significant impact on the salmonid species found in the Feather River and Sacramento-San Joaquin Delta. Therefore, the CBP would provide a tangible benefit to minimizing the aforementioned stressors on this species through future State-managed pulse flows.

2. **Water supply benefits**: Proposed facilities under the CBP would provide a new average annual water supply of 15,000 AFY. During the 25-year Water Storage Investment Program (WSIP) water exchange commitment period, the majority of this new water supply would be committed to environmental purposes through an exchange for SWP water supplies currently delivered to MWD. During that time, economic water supply benefits would still be produced for IEUA through savings associated with use of highly reliable local water supplies in lieu of Metropolitan deliveries and the CBP facilities could be used by IEUA and its member agencies when not needed for the Water Storage Investment Program (WSIP) commitment. After the 25-year WSIP water exchange commitment, all new water supplies produced by new infrastructure would be available for local use without restriction, with very high reliability as the wastewater generated within IEUA's service area and the Chino Basin region is anticipated to grow over the next several decades. Additional extraction, conveyance, and

interconnection facilities would improve the ability to manage water supplies within the Chino Basin for local use during all years and during years under which planned infrastructure maintenance and rehabilitation occurs. The CBP would also allow IEUA to avoid costs associated with procuring water supplies during years when MWD is unable to deliver full contract supplies, resulting in water shortage avoidance benefits.

3. **Emergency response benefits**: New water stored in the Chino Groundwater Basin will enhance emergency response water supply availability for IEUA and other participating agencies during crises such as prolonged drought, or catastrophic events or other infrastructure failure that limits delivery of imported water supplies. Given the great distances that imported supplies travel to reach the Inland Empire, the region is vulnerable to interruptions along hundreds of miles of aqueducts, pipelines, and other facilities associated with delivering the supplies to the region. The CBP would include provisions to provide up to 50,000 AFY of stored water in the Chino Groundwater Basin under emergency conditions to local agencies or regionally by utilizing MWD's water distribution system, thus providing emergency response benefits through the program's implementation.

4. **Additional Regional Benefits**: CBP conjunctive use operations and new interconnection infrastructure could support additional investment for expanded use of the Chino Basin for water storage/conjunctive use programs that provide corresponding benefits to the Chino Basin. The CBP will also improve IEUA's ability to manage water supplies within the Chino Basin during planned infrastructure shutdown, such as the Rialto Pipeline rehabilitation, which is anticipated to result in supply interruptions for up to 18 months beginning in 2033, and provide additional flexibility in managing Chino Basin groundwater for water quality issues and subsidence.

5. **Maintain Hydraulic Control**: The CBP would be required to and has been assessed to be capable of being implemented in a manner that would continue to enable Watermaster and Stakeholders to maintain hydraulic control, and minimize subsidence, prevent material physical injury (MPI), and manage plume movement through extensive monitoring and mitigation efforts.

6. **Maintain Commitments for Salt Management to Sustain and Enhance the Safe Yield of the Chino Groundwater Basin**: Recycled water is an increasingly essential asset to the region, particularly with the uncertain future of imported water supplies due to climate change and environmental factors. Since 2000, recycled water use within the region has increased by as much as seven times, with recharge of this water also increasing over the last 10 years. Recycled water is the region's most climate resilient water supply because the amount of water available is not affected by dry years. Today, recycled water makes up approximately 20 percent of IEUA's water supply portfolio and hundreds of millions of dollars have been invested into the regional recycled water program. Applications for recycled water face challenges in terms of changing wastewater quality and treatment requirements due to increases in indoor and outdoor water use efficiency standards and increasing regulatory and environmental requirements. Additionally, the use of recycled water is impacted by the groundwater quality of the Chino Groundwater Basin. Specifically, the applications for recycled water become constrained if the salinity in the Basin rises beyond specified regulatory limits. Maintaining and expanding recycled water projects to manage these challenges will both increase the resiliency of the regional water supplies and help to augment safe yield of the Chino Groundwater Basin through increased recharge of high-quality recycled water. The CBP would develop a new AWPF that would have a potential to reduce

recycled water TDS levels to 100 milligrams per liter (mg/L), with an overall blended target of 500 – 515 mg/L. Thus, the proposed CBP would provide a benefit to area water quality.

7. **Creation of New Jobs**: While the CBP would not create a significant permanent work force, it would create opportunities for skilled construction work throughout the construction period within which the proposed CBP facilities would be installed. It is expected that the maximum number of construction workers that would be employed to install CBP facilities is about 600 persons. Additionally, the CBP will create about 15 high-quality permanent job opportunities to serve future CBP facilities.

8. **Opportunity for Grant Funding to Offset some Construction and Operational Costs**: On November 17, 2021, the California Water Commission (CWC) approved the CBP continuing its work towards final approval of $215 million awarded under the Water Storage Investment Program (WSIP). The Proposition 1 WSIP funding available for the CBP would result in lower costs to IEUA over the 50-year project life, thus providing an economic benefit to the region, should the CBP be implemented.

9. **Present Value Benefit**: The CBP would provide a present value benefit of roughly $1.25 billion dollars, with a total capital cost of $1.17 billion dollars, thus the economic benefit of the proposed project has been assessed to outweigh the cost of implementing the proposed project.

I. STATEMENT OF <u>OVERRIDING CONSIDERATIONS</u>

This section of the findings addresses the requirements in CEQA Section 21081(b) and CEQA Guidelines Section 15093 requiring the Lead Agency to balance the benefits of the proposed project against its unavoidable significant adverse impacts, and to determine whether the project-related significant impacts can be acceptably overridden by the project benefits when the impacts/benefits are compared and balanced. As outlined in Section F above, the proposed project is forecast to contribute to cumulative, unavoidable significant adverse environmental impacts in three environmental categories: biological resources, greenhouse gas emissions, and utilities and service systems.

The IEUA Board finds that the previously stated benefits of the proposed project, outlined in Section G above and as are forecast to result from implementation of the CBP, outweigh the cumulative unavoidable adverse environmental effects to biological resources, greenhouse gas emissions, and utilities and service systems that have been outlined above. From IEUA's perspective, IEUA finds that the proposed CBP fulfills the objectives of meeting permit compliance for the continued use of recycled water in the Chino Groundwater Basin; maintaining commitments for salt management to enable sustainable use of recycled water in the Basin; developing infrastructure that addresses long term supply vulnerabilities; providing a source of water for emergency response; and, developing an integrated solution to produce State and Federal environmental benefits.

The objective to meet permit compliance for the continued use of recycled water in the Chino Groundwater Basin would be met through the provision of groundwater recharge facilities to recharge high quality, low TDS recycled water, which would reduce TDS levels within the Chino Groundwater Basin. Furthermore, the CBP would facilitate salt management through the proposed AWPF with an expected effluent concentration of 100 mg/L, thus enabling sustainable use of recycled water in the Basin into the future. Additionally, the CBP would improve the use of recycled water at a regional level through new regional pipelines enabling greater potential access

to recycled water, and would enhance local groundwater supplies through the installation of additional extraction wells and through the installation of new wellhead treatment systems that would bring existing out-of-service wells online. Long-term supply vulnerabilities would thus be addressed. By investing in Basin-wide water supply infrastructure and local supplies, water supply reliability is improved through enhanced emergency response, improved groundwater supply and quality management, and expansion of recycled water supplies. This robust water supply portfolio available to the region will be more resilient and less susceptible to catastrophic events and the effects of climate change. Additionally, the CBP would provide an integrated solution to produce State and Federal environmental benefits through the dedication of environmental benefit by minimizing the stressors on this salmonid species through future State-managed pulse flows.

Construction-related employment of highly trained workers created by the proposed project would have an important short-term benefit to the Inland Empire communities, as would the long-term employment opportunities of such workers that would be created by the operation of future CBP facilities. Ultimately, there are numerous benefits from implementation of the CBP due to the importance of the sustainable management of water within the Chino Basin, specifically management of recycled water impacts on the Basin through the provision of a new highly treated recycled water generated by the new AWPF.

Thus, the IEUA Board concludes that the benefits outlined above, that accrue to the community from authorizing the implementation of the proposed project, outweigh the unavoidable significant adverse impacts to biological resources, greenhouse gas emissions, and utilities and service systems identified in the FPEIR and described above. The benefits stated in the previous Section H are considered sufficient to offset the significant adverse effects that cannot be avoided if the project is implemented.

The IEUA Board's findings set forth in the preceding sections have identified all of the adverse environmental impacts and feasible mitigation measures which can reduce potential adverse environmental impacts to insignificant levels where feasible, or to the lowest achievable levels where significant unavoidable adverse environmental impacts remain. The findings have also analyzed alternatives to determine whether they are reasonable or feasible alternatives to the proposed action, or whether alternatives might reduce or eliminate the significant biological resources, greenhouse gas emissions, and utilities and service systems impacts of the proposed action. No feasible alternative can achieve the requisite minimization of biological resources, greenhouse gas emissions, and utilities and service systems impacts without (a) avoiding a significant adverse impact to hydrology and water quality, and/or (b) achieving key project goals and objectives.

The CBP FPEIR presents evidence that implementing the proposed project will contribute to significant adverse biological resources, greenhouse gas emissions, and utilities and service systems impacts which cannot be assuredly mitigated to a less than significant level. These significant impacts have been outlined above and presented in detail in the PEIR and the IEUA Board finds that all feasible alternatives and mitigation measures have been adopted or identified for implementation by the IEUA and/or partner agencies, where appropriate. Nonetheless, the IEUA Board recognizes significant adverse effects remain after imposition of all feasible mitigation in the areas of biological resources, greenhouse gas emissions, and utilities and service systems, which are nevertheless offset by the substantial list of benefits described in Section H hereof.

The IEUA Board finds that the project's benefits are substantial as outlined in Section H and that these benefits, individually and collectively, justify overriding the unavoidable significant adverse impacts associated with the proposed project. This finding is supported by the fact that the

benefits listed above result in the proposed project fulfilling the objectives of meeting permit compliance for the continued use of recycled water in the Chino Groundwater Basin; maintaining commitments for salt management to enable sustainable use of recycled water in the Basin; developing infrastructure that addresses long term supply vulnerabilities; providing a source of water for emergency response; and, developing an integrated solution to produce state and Federal environmental benefits. The CBP could not be implemented outside of the Chino Basin, as the management actions proposed cannot be attained at any other location, or in another alternative manner without additional, equal or greater adverse impacts, and without meeting the project objectives.

Thus, the IEUA Board concludes that the proposed project's benefits offset the adverse impacts to biological resources, greenhouse gas emissions, and utilities and service systems that may result from implementing the CBP. The IEUA Board further finds that the benefits outlined above, when balanced against the unavoidable significant adverse environmental impacts, outweigh these impacts because of the environmental, social, and economic benefits which accrue to IEUA, Watermaster, the stakeholders, and the residents in its service area as outlined in Section H hereof.

As the CEQA Lead Agency for the proposed action, the IEUA Board has independently reviewed the applicable sections of this document and the CBP FPEIR, and fully understands the scope of impacts caused by implementation of the proposed project. Further, the IEUA Board finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce these impacts have been identified in the FPEIR, public comment, and public testimony. These impacts and mitigation measures are discussed above in Section D and E, and the Board concurs with the facts and findings contained in those sections. The IEUA Board also finds that a reasonable range of alternatives was considered in the PEIR, as summarized above in Section G, and that no feasible alternatives which substantially lessen project impacts are available for adoption.

The IEUA Board concurs with the extensive environmental, economic, legal, social, technological and employment benefits identified above, which will accrue to the Chino Basin groundwater resources, the IEUA and its partner agencies, and the population residing within Chino Basin. The Board has balanced these substantial benefits against the unavoidable significant adverse environmental effects of the proposed project. Given that these substantial benefits will support the residents of the Chino Basin over the long term if the CBP is implemented, the IEUA Board hereby finds that the benefits identified herein, collectively and individually, outweigh the unavoidable, cumulative significant adverse biological resources, greenhouse gas emissions, and utilities and service systems impacts, and hereby override these impacts to obtain the benefits listed in Section H that will result from approval and implementation of this project.