

Chapter 5

Other CEQA Considerations

5.1 Growth-Inducing Impacts

5.1.1 Introduction

This section analyzes the growth inducement potential of the proposed Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Implementation of Restoration Projects Statewide (Order) and the associated secondary effects of growth. California Environmental Quality Act (CEQA) requirements that pertain to analyzing growth and the approach to analyzing the growth-inducing impacts of the Order are discussed below.

CEQA Requirements

The State CEQA Guidelines (Section 15126.2[e]) require that an environmental impact report (EIR) evaluate the growth-inducing impacts of a project. The EIR must:

Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

A project can have direct or indirect growth inducement potential. Direct growth inducement would result if a project were to involve construction of substantial new housing or commercial development. A project would have an indirect growth-inducement effect if it were to remove an obstacle to additional growth and development, such as removing a constraint on a required public service. For example, an increase in the capacity of utility or road infrastructure could allow either new or additional development in the surrounding area. A project can also induce population

growth if economic expansion or growth occurs in an area in response to the project (e.g., changes in revenue base or employment expansion).

The purpose of this section is to evaluate the potential growth-inducing effects of restoration projects that would be permitted under the Order. As discussed in Section 2.7, *Typical Construction, Operation, and Maintenance Activities and Methods*, the Order does not involve construction or operations and maintenance of specific facilities or other specific physical actions by the State Water Resources Control Board (State Water Board). The State Water Board does not propose to construct, operate, or undertake other specific physical actions after the adoption of the Order.

Additional analysis of the Order's potentially growth-inducing effects is provided in Section 3.15, *Population and Housing*. Section 3.15 summarizes existing information and trends regarding population, housing, and employment in the study area. Section 3.15 also evaluates restoration projects permitted under the Order that could induce substantial population growth and increase demand for housing, or that could necessitate construction of replacement housing because of displacement of people or houses.

5.1.2 Growth Inducement Potential of the Order

Direct Growth Inducement

Implementing restoration projects permitted under the Order would not involve construction of new housing or commercial or industrial development; therefore, these projects would not directly induce growth.

As described in Section 3.15, *Population and Housing*, restoration projects permitted under the Order are anticipated to result in negligible levels of permanent population growth because an adequate labor pool exists in the study area to provide the employees needed for construction and operation of restoration projects. The planning guidelines and policies of local jurisdictions would control the potential for direct economic growth to result from restoration projects permitted under the Order. Therefore, the Order would not induce substantial direct growth and growth-related impacts would be less than significant.

Indirect Growth Inducement

A project that would generate substantial new permanent employment could indirectly generate growth by creating demand for homes and services and fostering economic and population growth. Similarly, population growth induced by a short- or long-term construction effort with substantial employment opportunities could indirectly stimulate the need for additional housing and services to support the new temporary employment demand.

As described in Section 3.15, *Population and Housing*, construction and operation of restoration projects permitted under the Order could result in negligible levels of temporary and permanent population growth.

The locations and scale of potential future individual restoration projects that could be permitted under the Order and their staffing are yet to be determined. Factors necessary to identify potential impacts include the number of construction workers

employed, the duration of project construction, and the locations of projects relative to populated areas.

Although many construction activities are temporary, it is reasonable to expect that construction activities associated with restoration projects permitted under the Order may be as short as a few days or as long as several years, depending on the specific project being constructed. As such, worker relocation could vary depending on the size, type, and length of construction activities. However, as described in Section 3.15, *Population and Housing*, any long-term increase in population in the region resulting from construction of restoration projects would be negligible, and existing vacant units could absorb any population increase.

Restoration projects permitted under the Order are not anticipated to remove obstacles to growth (e.g., by facilitating population or economic growth) because construction of new residences and commercial development are not anticipated to occur as a result of the restoration projects. As described in Section 3.15, *Population and Housing*, individual restoration projects permitted under the Order could result in an increase in housing, given the aesthetic nature of a restoration project. However, restoration projects would need to be consistent with local plans and would not be expected to result in a substantial number of people or housing which would necessitate the construction of replacement housing elsewhere.

Therefore, the Order would not induce substantial indirect growth and the indirect growth-related impacts would be less than significant.

5.2 Significant Irreversible Environmental Changes

The State CEQA Guidelines (Section 15126.2[d]) require an evaluation of the significant irreversible environmental changes that would be caused by a project if implemented, as described below:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts, and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

The State CEQA Guidelines refer to the need to evaluate and justify the consumption of nonrenewable resources and the extent to which the project commits future generations to similar uses of nonrenewable resources. In addition, CEQA requires the evaluation of irreversible damage that could result from an environmental accident associated with the project.

Implementing restoration projects permitted under the Order could indirectly result in the commitment of nonrenewable natural resources used in the construction process and during operation, including gravel, petroleum products, steel, and other materials. Projects would also result in the commitment of slowly renewable resources, such as wood products. As discussed in Section 3.19, *Utilities and Public Services*, most projects permitted under the Order that would involve earthmoving activities would not generate large amounts of construction waste (e.g., organic materials from borrow areas and restoration construction sites, excavated material, and soil not suitable for earthen structures). As also discussed in Section 3.19, depending on the nature of the project, operations and maintenance of restoration project could produce solid waste. The increased generation of solid waste associated with construction and operation would depend on the size, number, location, and nature of restoration projects and their ability to reuse and recycle materials. Fee schedules for disposal of construction debris could be established to promote recycling and minimize solid waste; reuse or recycling of construction debris could be required; and solid waste plans could be developed for individual projects to maximize practices that reduce and recycle solid waste and collect, recycle, or compost litter. (See also Impact 3.19-2 in Section 3.19.)

Implementing restoration projects permitted under the Order could also result in the commitment of energy resources such as fossil fuels. As discussed in Section 3.8, *Energy Resources*, construction and operation of restoration projects would require the direct and indirect use of energy resources. Direct energy use during construction and operation would involve using petroleum products and electricity to operate equipment, and indirect energy use would involve consuming energy to extract raw materials, manufacture items, and transport the goods and people necessary for construction and operation activities.

Construction-related energy consumption would be temporary, occurring only during the construction period. Nevertheless, construction-related and operational activities would cause irreversible and irretrievable commitments of finite nonrenewable energy resources, such as gasoline and diesel fuel (see also Impacts 3.8-1 and 3.8-2 in Section 3.8). However, implementation of restoration projects permitted under the Order would include all feasible control measures to improve equipment efficiency and reduce energy use as required by the applicable local air pollution control or management districts and as described in the general protection measures. These measures include best management practices regarding on-site construction vehicle efficiency standards; exhaust control plans that would reduce unnecessary equipment idling; and other policies to help reduce energy use that would be consistent with state and local legislation and policies to conserve energy.

Compliance with all applicable state, county, and local plans, policies, and regulations pertaining to energy standards would ensure that natural resources are conserved to the maximum extent possible. It is therefore concluded that the rate and amount of energy consumed during construction or operations of restoration projects would not result in the unnecessary, inefficient, or wasteful use of resources, and that energy use would be accomplished in a manner consistent with applicable laws and regulations.

To the extent that restoration projects would be constructed in currently sensitive natural communities or agricultural land (discussed in Section 3.3, *Agriculture and Forestry Resources*, and Section 3.5, *Biological Resources—Terrestrial*), they may also result in an irreversible conversion of sensitive natural communities and agricultural land.

Finally, construction and operation of restoration projects permitted under the Order have the potential to result in accidental release of hazardous materials (discussed in Impact 3.10-2 in Section 3.10, *Hazards and Hazardous Materials*), which may lead to irreversible damage.

5.3 Significant Unavoidable Impacts

The following is a summary of potentially significant and unavoidable impacts identified and discussed in the technical sections of this program EIR contained in Chapter 3 and summarized in the Executive Summary.

State CEQA Guidelines Section 15126.2(c) states that an EIR must include a description of those impacts identified as significant and unavoidable should the proposed project be implemented. These impacts are unavoidable because it has been determined that the general protection measures, species protection measures, and/or mitigation (or only partial mitigation) may not reduce the impact to less-than-significant levels. The final determination of the significance of impacts and of the feasibility of mitigation measures would be within the responsibility and jurisdiction of the appropriate project proponents. Those impacts found to be significant and unavoidable include:

5.3.1 Agriculture and Forestry Resources

Impact 3.3-1: Restoration projects permitted under the Order could convert Farmland to nonagricultural use or conflict with a Williamson Act contract or zoning for agricultural use.

5.3.2 Air Quality and Greenhouse Gas Emissions

Impact 3.4-1: Implementing future restoration projects permitted under the Order could conflict with an applicable air quality plan.

Impact 3.4-2: Emissions from future restoration projects permitted under the Order could 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.

Impact 3.4-4: Emissions from future restoration projects permitted under the Order could expose sensitive receptors to substantial pollutant concentrations.

Impact 3.4-5: Implementing future restoration projects permitted under the Order could result in an increase in GHG emissions that may have a significant impact on the environment.

Impact 3.4-6: Implementing future restoration projects permitted under the Order could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs.

5.3.3 Biological Resources—Terrestrial

Impact 3.5-1: Implementing restoration projects permitted under the Order could adversely affect **habitat** for special-status plant species.

Impact 3.5-2: Implementing restoration projects permitted under the Order could result in adverse direct effects on special-status wildlife species.

Impact 3.5-3: Implementing restoration projects permitted under the Order could result in adverse **effects** on riparian habitat or sensitive natural communities.

5.3.4 Cultural Resources and Tribal Cultural Resources

Impact 3.7-1: Implementing future restoration projects permitted under the Order could cause a **substantial** adverse change in the significance of a historical resource pursuant to State CEQA Guidelines Section 15064.5.

Impact 3.7-2: Implementing future restoration projects permitted under the Order could cause a **substantial** adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5.

Impact 3.7-3: Implementing future restoration projects permitted under the Order could disturb any human remains, including those interred outside of dedicated cemeteries.

5.3.5 Geology and Soils

Impact 3.9-5: Implementing future restoration projects permitted under the Order could directly or **indirectly** result in the loss of a unique paleontological resource or geological resource.

5.3.6 Hazards and Hazardous Materials

Impact 3.10-3: Future restoration projects permitted under the Order could be implemented within 2 miles of an airport, resulting in a safety hazard.

5.3.7 Land Use and Planning

Impact 3.12-2: Implementing restoration projects permitted under the Order could physically divide an established community.

5.3.8 Noise

Impact 3.14-1: Implementing future restoration projects permitted under the Order could result in a temporary or permanent increase in ambient noise levels in excess of standards established in applicable plans and ordinances.

Impact 3.14-2: Implementing future restoration projects permitted under the Order could expose **sensitive** receptors to excessive groundborne vibration.

Impact 3.14-3: Implementing future restoration projects permitted under the Order could expose **sensitive** receptors to excessive groundborne noise levels.

5.3.9 Transportation

Impact 3.17-2: Future **restoration** projects permitted under the Order could conflict with or be inconsistent with State CEQA Guidelines Section 15064.3(b).

5.3.10 Tribal Cultural Resources

Impact 3.18-1: Implementing **future** restoration projects permitted under the Order could cause a substantial adverse change in the significance of a tribal cultural resource, as defined in PRC Section 21074.

5.3.11 Utilities and Service Systems and Public Services

Impact 3.19-1: Implementing future restoration projects permitted under the Order could require or result **in** the construction or relocation of new water or expanded water, stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.