

DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION METTLER VALLEY MUTUAL WATER COMPANY ARSENIC EXCEEDANCE-REMEDATION

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Prepared For:

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1.0 INTRODUCTION AND PROJECT DESCRIPTION

The Mettler Valley Mutual Water Company (MVMWC) is proposing water system improvements that include the replacement of an existing well, installation of an arsenic treatment system, well/booster station site and electrical improvements, and replacement of storage tanks.

The Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to satisfy the requirements of the California Environmental Quality Act (CEQA; Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.). CEQA requires that all State and local government agencies consider the environmental consequences of projects over which they have discretionary authority before they approve or implement those projects

The IS/MND is a public document used by the decision-making Lead Agency to determine whether a project may have a significant effect on the environment. The Project is proposed by the MVMWC and has applied for funding with the State Water Resources Control Board (SWRCB) under the State Revolving Fund (SRF) Program. In the case of the proposed Project, the SWRCB is the Lead Agency and will use the IS/MND to determine whether the proposed Project may have a significant effect on the environment.

This IS/MND relies on CEQA Guidelines Sections 15064 in its determination of the significance of the environmental impacts. Per Section 15064, the finding as to whether a project may have one or more significant impacts shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant impact, does not trigger the need for an Environmental Impact Report (EIR)

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1.1 PROJECT LOCATION

The MVMWC owns and operates a public water system that provides service to approximately 150 residents about 2.5 miles west of the community of Neenach, located within the Antelope Valley, in unincorporated northwestern Los Angeles County, California (Figure 1). Infrastructure improvements will be made on MVMWC-owned land adjacent to the intersection of 281st Street and State Highway 138, on easements on nearby parcels, and on a portion of a nearby parcel (APN 3275-012-018) to be purchased by MVMWC following division via parcel map filing. The MVMWC (Public Water System No. CA1900100) was incorporated in 1969 to provide potable water service to the population within its service area. The water system provides water service to approximately 98 connections of which approximately 65 are active, most of which are residential. Some connections utilize water only for agricultural purposes.

1.2 PROJECT BACKGROUND

Wells and Water Quality

The MVMWC's water is supplied entirely by groundwater. The MVMWC owns, operates, and maintains one permitted production well, Well No. 1. This well is located on an MVMWC-owned property (APN 3275-012-015). Well No. 2 is not permitted for potable use as the MVMWC has not been able to provide a driller's log to verify the construction of the well. Well No. 2 is located on APN 3275-012-018. It has an active pump and motor in the well, with discharge to the immediate atmosphere.

The existing Well No. 1 has a 150 hp pump/motor. The pump/motor is oversized as its capacity is over 700 gpm, while the maximum day demand (MDD) requires a flowrate of approximately 162 gpm. In addition to being oversized, Well No. 1 is difficult to access for repairs. In order to inspect or service the well and remove its column piping, the grid power must be turned off as there are power lines directly over the wellhead. In addition, there is a low hanging shade structure covering the electrical equipment that poses a safety hazard.

The MVMWC does not have an active outside standby or emergency water supply source should its existing wells fail. The MVMWC has no current interconnections with water agencies. The nearest water system is West Valley County Water District, located approximately one mile east of the MVMWC's service area.

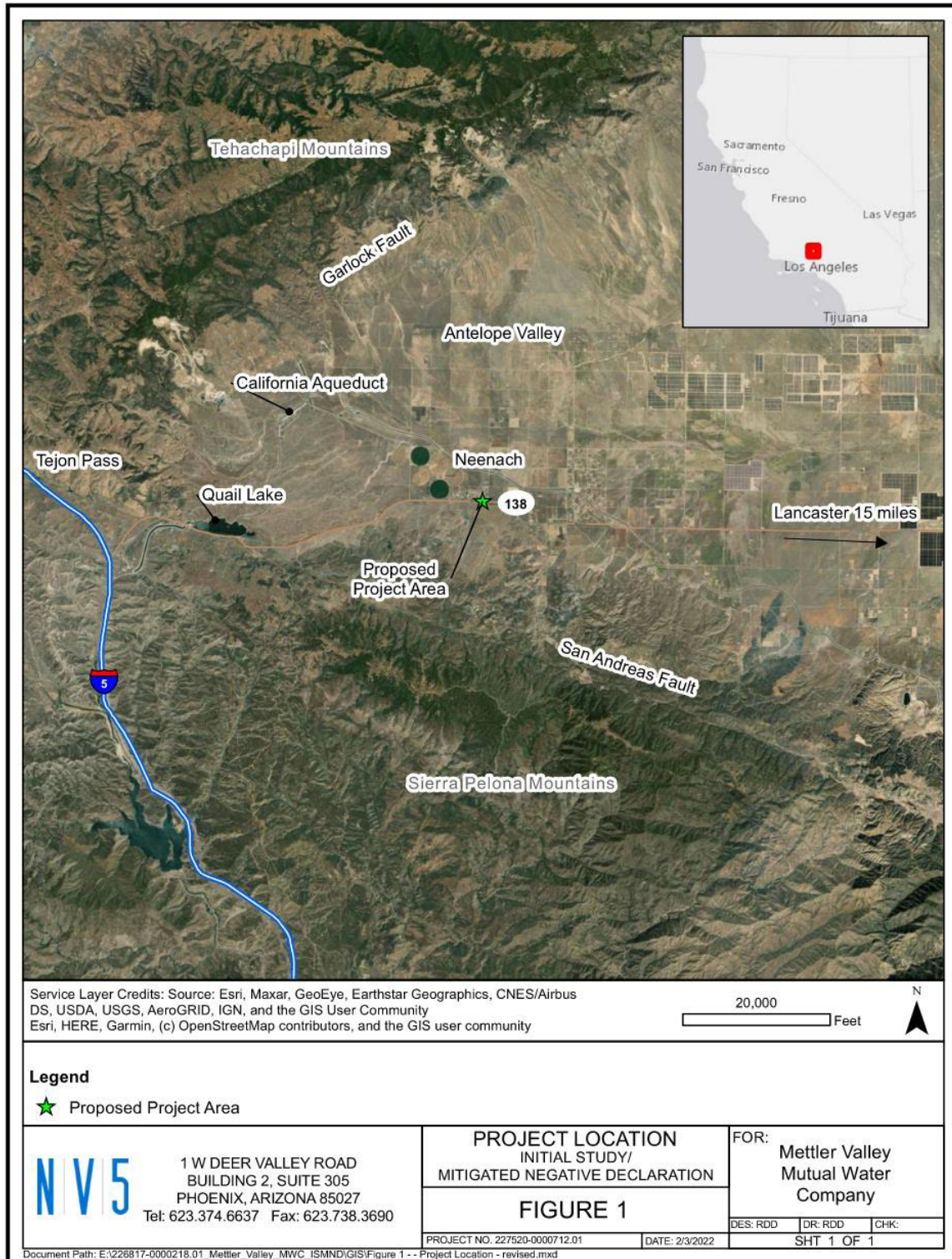


Table 1 - MVMWC Potable Water Wells

Well No.	Pumping Rate (gpm)	Pump Motor Size (hp)	Well Depth (feet)	Well Casing Material/Diameter	Well Age (years)	Regulatory Contaminants At/Above MCL
1	700	150	1066	Steel/12"	67	Arsenic
2	N/A	25	600	Unknown	>23	Arsenic

Most wells in the vicinity contain some concentration of arsenic. Arsenic is generally present in the rocks and soils in the area and leaches into water that comes into contact with them. The MVMWC as well as other systems in the area have historically been challenged by arsenic concentrations that exceed the State’s Maximum Contaminant Levels (MCL).

Storage

The MVMWC system has four existing welded steel potable water storage tanks located on APN 3275-012-015 at an approximate base elevation of 3,047 feet. Two have capacities of 20,000 gallons and two have capacities of 15,500 gallons. The MVMWC has a combined storage capacity of approximately 71,000 gallons. The storage tanks supply two existing 15 hp booster pumps which pressurize the MVMWC’s hydropneumatic tank, which in turn pressurizes the distribution system.

No formal inspection of the tanks has been performed. However, a visual inspection combined with the age of the tanks suggest that the tanks have significant corrosion with accelerating levels of deterioration. The tanks are also noticeably listing to one side, which indicates foundation deterioration or soils failure. There are signs of leakage on the tanks.

Compliance with Regulatory Agency and Action Taken

The MVMWC received a 2012 Sanitary Survey report from the County of Los Angeles Public Health Department. This report documents that the MVMWC’s water system had several regulatory deficiencies including repeated arsenic MCL exceedances. The MVMWC was also found to be in violation of CA Code of Regulation, Title 22, Sections 64426 and 64426.1 (b) (2) for a significant rise in bacterial count and for having more than one sample collected during any month test total coliform-positive. The cause of the high bacterial count is unknown but has not recurred.

Also, per the 2012 Sanitary Survey, the MVMWC was to provide a flow meter at the well heads, provide a non-threaded hose bib to the well heads, test for organics, general minerals, secondary standards, volatile organics, DEHP and Thiobencarb. The MVMWC would also address the MCL exceedances for arsenic and how the system will eliminate the contaminant. With the exception of exceedances for arsenic, the MVMWC has fulfilled these mandates.

In 2015, the Los Angeles Department of Public Health’s Environmental Health Division of Drinking Water Program issued a citation (No. CC0000035) for the MVMWC’s failure to comply with the 0.010 mg/L arsenic MCL since January 6, 2009.

The MVMWC received a 2018 Sanitary Survey from the County of Los Angeles Public Health Department. This report noted that the MVMWC planned to install an arsenic filtration system within its water system. The MVMWC was also to implement a cross-connection control program,

implement a complaint program to provide effective communication with customers, and establish a valve maintenance/flushing program among other directives.

In August of 2019, the MVMWC signed an Administrative Order on Consent with the United States Environmental Protection Agency for repeated arsenic exceedances. This agreement orders that the MVMWC will comply with the MCL for arsenic.

1.3 PROJECT DESCRIPTION

To address the MVMWC's consistent exceedance of arsenic as well as other system deficiencies, several alternatives from the Preliminary Engineering Report (NV5 2021) would be implemented (Appendix A). The preferred design includes the following components:

New Source – Drill New Well

This Proposed Project element would involve drilling a new well to an approximate depth of 700 feet below ground surface (bgs) near the existing Well No. 2 on APN 3275-012-018. MVMWC anticipates dividing parcel 3275-012-018 via a parcel map filing with Los Angeles County and purchasing the resultant approximately 1.6-acre parcel on the western portion of the existing parcel 3275-012-018. The new well would require a 50-ft control zone as well as a 100-ft buffer from potentially contaminating features such as septic tanks or animal enclosures. The new well would have a steel casing with perforations located at depths informed by investigations of the existing well and encountered geology to draw water from hydrogeological layers with lower concentrations of arsenic. A steel conductor casing would be installed around the well casing to an approximate depth of 150-feet. A cement grout seal would be installed to a depth of approximately 100-feet surrounding the conductor casing. This proposed well would be supplied by grid power, likely via the lines that feed the existing Well No. 2.

MVMWC would also construct approximately 300 feet of 6" transmission pipeline to deliver water from the proposed well to the treatment building proposed under Alternative WS3 at the MVMWC's Well No. 1 and tank site. The transmission pipeline would be installed via trenched installation to a depth of approximately 4 to 6 feet below ground surface. The trench may be deeper in localized areas to avoid conflicts with other utilities and where boulder or rock removal is required. The trench would have an approximate width of 3 feet and would be installed through an easement to be obtained through APN 3275-012-022, between the existing well and tank site and the existing easement along the west portion of APN 3275-012-018. APN 3275-012-022 is zoned residential and contain houses while APN 3275-012-018 contains an office. In addition to the transmission pipeline improvements, a new electrical meter and conduit would be installed to service the proposed well.

Destruction of Existing Well No. 2

Under this task, MVMWC would remove the existing Well No. 2, which is located in an easement owned by the MVMWC on APN 3275-012-018, removing a potential source of groundwater contamination to future and existing wells. The destruction of the existing Well No. 2 would be performed per Los Angeles County Standards (County of Los Angeles Department of Public Health Requirements for Well Decommissioning) as well as California Well Standards Bulletin 74-81 and 74-90 Sections 20 through 23. Minimal excavation within 10 feet of the existing well to a depth of

approximately 7 feet is involved with this alternative per the aforementioned requirements for well decommissioning in order to cut the existing casing below ground. All activities would be performed within the existing well site fence within the extents of the existing easement owned by the MVMWC. The footprint of the proposed work is within and/or immediately adjacent to the proposed footprint of the new well (Alternative WQ1). The underground electrical service for Well No. 2 may be continued to supply the new well in Alternative WQ1. The well will be destroyed after successful completion of a new well (Alternative WQ1). Well No. 2 will be utilized during the construction of the new well and during construction of other improvements for groundwater monitoring and construction water, respectively.

Arsenic Treatment

MVMWC would construct an arsenic treatment facility to improve the existing and/or new well's water quality. The facility would utilize parallel treatment vessels with adsorptive media to remove arsenic from the water. The discharge water from the backwash cycle would be collected in a new storage tank, then reintroduced into the treatment facility. No discharge other than a minor nuisance drain is anticipated on the site under normal operation of the treatment system. The used media would be hauled offsite to a permitted disposal site approximately every 5-7 years.

This treatment facility would be protected from the elements by a new structure built on the existing MVMWC-owned Well No. 1 and tank site (APN 3275-012-015). The structure would also house the replacement pneumatic tank and variable frequency driven booster pumps (Alternative WS1). Additionally, the building would house relocated electrical panels, including those for the new booster pumps. Water would be delivered from the well(s) into the treatment facility which would treat for arsenic prior to delivery of the treated water to the proposed storage tanks located on the Well No. 1 site. Construction of the proposed structure would require overexcavation and recompaction to an approximate depth of 6 feet bgs. The building would have a footprint of approximately 30 feet x 30 feet. The building will have a height of approximately 18 feet. Solar power panels would be installed on the building's roof.

Construction of the treatment facility would include the installation of approximately 50 feet of yard piping from 3 to 6 inches in diameter to deliver water to the treatment system from the wells and treatment system to the proposed tanks. The pipelines would be installed via trenched installation to a depth of approximately 4 to 6 feet below ground surface. The trench may be deeper in localized areas to avoid conflicts with other utilities and where boulder or rock removal is required. The trench would have an approximate width of 3 feet and would be installed within the MVMWC's parcel (APN 3275-012-015).

A hazardous waste generator or hazardous materials permit may be required by Los Angeles County Certified Unified Program Agency upon completion of design, determination of arsenic concentrations in the treatment waste, and finalization of the frequency of media renewal and media disposal. A hazardous waste generator and/or hazardous materials permit may not be required for episodic disposals spanning multiple years.

Well Site and Electrical Improvements

MVMWC would replace the Well No. 1 pump/motor, underground the onsite electrical lines, install new electrical panels, and remove the structure covering the existing electrical equipment. These improvements would reduce electrical demand and associated charges while improving system

reliability, sustainability, and operator safety. This alternative would also repair an offset joint that was found in the well casing at approximately 20 feet bgs, raise the wellhead to allow the use of a submersible pump, replace the existing hydropneumatic tank and booster pumps, and install a permanent 75 kW or greater diesel backup generator and automatic transfer switch.

All improvements under this alternative would be constructed on the MVMWC’s Well No. 1 and tank site (APN 3275-012-015). Construction of the improvements under this alternative will require minimal excavation to a depth of approximately 5 feet to remove and place proposed footings.

Replace MVMWC Storage Tanks

MVMWC proposes that the four aging tanks be removed and replaced with two new bolted steel tanks placed on reinforced concrete ringwall foundations. Visual inspection and the age of the tanks suggest that the existing tanks have significant corrosion with accelerating levels of deterioration. The existing tanks are also noticeably listing, which indicates foundation deterioration or soils failure with the existing gravel foundations. There are also signs of leakage. The existing tanks have a height of approximately 20 feet. Two of the existing tanks have volumes of 15,000 gallons each; the other two tanks each have volumes of 20,000 gallons.

The two new tanks are proposed to have a combined storage capacity of 146,500 gallons each (233,000 gallons of MDD plus 60,000 gallons for fire flow) plus the required freeboard. The tank site is located on the MVMWC’s existing Well No. 1 property, APN 3275-012-015. Installation would require over excavation and recompaction to approximately 6 feet bgs. The new tanks will have a height of approximately 32 feet and will be placed on reinforced concrete ringwall foundations.

Table 2 - Permits/Requirements and Associated Agencies

Agency	Permit/Requirement
County of Los Angeles Department of Public Health (LADPH), Environmental Health (Local Primacy Agency or LPA)	Well Construction Permit Well Destruction Permit Water Supply Permit Amendment
County of Los Angeles Department of Public Works Building and Safety Division	Building Permit
County of Los Angeles Division of Regional Planning	Conditional Use Permit Parcel Map Approval
Los Angeles County Certified Unified Program Agency (LACoCUPA)	Hazardous Waste Generator Permit Hazardous Materials Permit
Los Angeles County Air Quality Management District	Air Quality permitting for Generator
Southern California Edison	Revisions to Electrical Supply to Sites
California State Water Resources Control Board - Division of Financial Assistance (DFA)	CEQA Lead Agency
Antelope Valley (AV) Watermaster	Well Construction Permit Well Destruction Permit

Agency	Permit/Requirement
California Department of Transportation (Caltrans)	Encroachment Permit
Antelope Valley Air Pollution Control District	Emergency Generator Permit

1.4 POTENTIAL ENVIRONMENTAL EFFECTS

The Proposed Project could potentially result in one or more of the following significant environmental effects; however, proposed mitigation measures will reduce effects to less than significant.

<input type="checkbox"/>	Aesthetic	<input type="checkbox"/>	Agriculture/Forestry Resources	<input checked="" type="checkbox"/>	Air Quality
<input checked="" type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input checked="" type="checkbox"/>	Hazards/Hazardous Materials	<input checked="" type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input checked="" type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Energy	<input type="checkbox"/>	Wildfire	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

1.5 DETERMINATION

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature of Lead Representative

Date

Printed Name

Agency

2.0 EVALUATION OF ENVIRONMENTAL IMPACTS

The 2024 California Environmental Quality Act (CEQA) Statutes and Guidelines suggests that the criteria outline in Section 15064 be used when determining the significance of the environmental effects cause by a project (AEP 2024). These criteria have been used in this Initial Study.

The 2024 CEQA Statute and Guidelines suggests that the following criteria be used when evaluating effects using the environmental checklist in Section 3 below (AEP 2024). These criteria have been used in this Initial Study.

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance

3.0 ENVIRONMENTAL CHECKLIST:

3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS. Except as provided in Public Resources Code Section 21099, would the Proposed Project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings along a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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 and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.1.1 REGULATORY SETTING

State Laws, Regulations, and Policies

In 1963, the California State Legislature established the California Scenic Highway Program, a provision of the Streets and Highways Code, to preserve and enhance the natural beauty of California (California Department of Transportation (Caltrans) 2015). The state highway system includes designated scenic highways and those that are eligible for designation as scenic highways.

Local Laws, Regulations, and Policies

The Los Angeles County 2035 General Plan (LACDRP 2015) contains goals and policies to protect the aesthetic values of the County, including the protection of its scenic corridors and highways, and

recommends incorporating project design elements that improve visual aesthetics. Several sections of the plan could apply to the Proposed Project.

3.1.2 ENVIRONMENTAL SETTING

The Proposed Project area is in a semi-rural community in northwestern Los Angeles County, an area known as the Antelope Valley. Views of the San Gabriel Mountains to the south and the Tehachapi Mountains to the northwest dominate the landscape. The visual quality of most of the Proposed Project area is variously affected by the existing developments, such as housing developments and roads.

Visual Character and Quality of the Site

Residential neighborhoods, open desert, dirt roads, and small agricultural areas adjoin the Proposed Project area.

Light and Glare

Nighttime lighting is necessary to provide and maintain safe, secure, and attractive environments. Light that falls beyond the intended area of illumination is referred to as “light trespass.” The most common cause of light trespass is spillover light, which occurs when a lighting source illuminates surfaces beyond the intended area, such as when building security lighting or parking lot lights shine onto neighboring properties. Spillover light can adversely affect light-sensitive uses, such as residences at nighttime. Both light intensity and fixtures can affect the amount of any light spillover. Modern, energy-efficient fixtures that face downward, such as shielded light fixtures, are typically less obtrusive than older, upward-facing light fixtures.

Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass, polished surfaces, or metallic architectural features. During daylight hours, the amount of glare depends on the intensity and direction of sunlight.

In general, the night sky in the Proposed Project area is not currently impacted. The most intense lighting in or near the Proposed Project sites is from the surrounding residential and commercial buildings. These structures are continuous light sources, including the nighttime hours. Parking lot lighting and vehicle headlights illuminate the surrounding roadways.

3.1.3 DISCUSSION OF IMPACTS

Will the Proposed Project

- a) Have a substantial adverse effect on a scenic vista?

Direct and Indirect Effects. The treatment facility would have a footprint of approximately 30 feet by 30 feet and a height of approximately 18 feet. The replacement storage tanks would have an approximate height of approximately 35 feet, compared to the existing tanks’ heights of approximately 18 feet. The proposed location is at the existing MVMWC-owned Well No. 1 and tank site (APN 3275-012-015) and is not located in the vicinity of a scenic vista; therefore, effects on scenic vistas would be **less than significant**.

Cumulative Impacts. No reasonably foreseeable future actions were found (LACDRP 2015, Caltrans 2022) that are expected to provide cumulative impacts to the resource.

- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings along a State scenic highway?

Direct and Indirect Effects. The Proposed Project would not substantially damage scenic resources. The proposed location is at the existing MVMWC-owned Well No. 1 and tank site (APN 3275-012-015). The local roads and State Highway 138 in the Proposed Project area are not designated as a State scenic highway (Caltrans 2021). The closest designated Scenic Highway is the Angeles Crest Highway (SR-2) approximately 65 miles to the southeast (Caltrans 2021). **No impact** would occur relative to this issue.

- c) 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 a publicly accessible vantage point). If the Proposed Project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Direct and Indirect Effects. The treatment facility and replacement water storage tanks are proposed at the existing MVMWC-owned Well No. 1 and tank site (APN 3275-012-015). Potential construction-related aesthetic impacts (e.g., grading activities, construction equipment, and warning markers on roadways) would only be short-term as motorists drive by the construction sites. The existing tanks, powerpoles, power lines, fences, and other site infrastructure impact current views from State Highway 138. The new tanks will be located at the same site but will have a larger footprint and an increased height. Some power lines and poles will be relocated underground, improving the quality of views. Potential impacts to the existing visual character or quality of public views would be **less than significant**.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Direct and Indirect Effects. The treatment facility and replacement water storage tanks are proposed at the existing MVMWC-owned Well No. 1 and tank site (APN 3275-012-015). Well site and electrical improvements and replacement of the existing storage tanks will not change their already negligible light emissions and glare. Exterior tank coatings will have low gloss to limit glare from the tanks. No nighttime construction would take place. Impacts to views in the area relating to light or glare would be **less than significant**.

3.2 AGRICULTURE AND FORESTRY RESOURCES

Would the Proposed Project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Proposed Project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code [PRC] Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.2.1 REGULATORY SETTING

State Laws, Regulations, and Policies

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is a non-mandated State program for counties and cities to preserve agricultural land and discourage the premature conversion of agricultural land to urban uses.

The California Department of Conservation (CDC) provides Williamson Act maps and maps of important farmland for counties in California, including Los Angeles County. Each map indicates areas of urban/built-up land in addition to illustrating the locations of various agricultural-related (Williamson Act or farmland designation) categories (CDC 2016b).

Local Laws, Regulations, and Policies

The Los Angeles County 2035 General Plan (LACDRP 2015) contains goals and policies to protect the agricultural use of the County, including the zoning of land for such purposes.

3.2.2 ENVIRONMENTAL SETTING

Although the regional character of the western part of the Antelope Valley is rural and includes much productive farmland, the Proposed Project location is commercial and zoned by Los Angeles County as Rural Commercial (CR) (LACDRP 2015). The site contains a drinking water well, storage tanks, booster station, pneumatic tank, powerlines, and power poles. There is no agricultural activity at the APN 3275-012-015. Adjacent parcels, where a new well, subsurface pipeline, and electrical supply facilities would be installed, contains limited and intermittent agricultural activity (alfalfa).

3.2.3 DISCUSSION OF IMPACTS

Would the Proposed Project

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use?

Direct and Indirect Effects. The Proposed Project is located in an area with soil classified as prime farmland if irrigated. However, no existing farmland will be converted from agricultural use. The proposed location is at the existing MVMWC-owned Well No. 1 and tank site (APN 3275-012-015) and at portions of adjacent parcels. There is no agricultural activity at MVMWC's existing well, tank, and booster pump site (APN 3275-012-015). The adjacent parcels, where an existing well will be destroyed, and a new well, subsurface pipeline, and electrical supply facilities will be installed, has been used for intermittent and limited alfalfa growing. The Proposed Project is classified as *Other Land* by the California Department of Conservation Important Farmland Map. **No impact** would occur relative to this issue.

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

Direct and Indirect Effects. The Proposed Project location is zoned by Los Angeles County as Rural Commercial (C-RU) and is not located in an area with an existing zoning for agricultural use, or a Williamson Act Contract (LACDRP 2021). **No impact** would occur relative to this issue.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Direct and Indirect Effects. The Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production (LACDRP 2021). MVMWC submitted a pre-application for a Tentative Parcel Map to the Los Angeles County Department of Regional Planning for the subdivision of APN 3275-012-018 (Case No. RPPL2024003263), the western portion of which would be used for a new well. LACDRP will require a Conditional Use Permit for the proposed well. However, the proposed use of a new well will not impact any forest land, timberland, or timberland zoned Timberland Production, as no such activity occurs on this parcel. **No impact** would occur relative to this issue.

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

Direct and Indirect Effects. The Proposed Project would not result in the loss of forest land or conversion of forest land to non- forest use. **No impact** would occur relative to this issue.

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

Direct and Indirect Effects. The Proposed Project would not 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. **No impact** would occur relative to this issue.

Cumulative Impacts. No reasonably foreseeable future actions were found (LACDRP 2015, Caltrans 2022) that are expected to provide cumulative impacts to the resource.

3.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Proposed Project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.3.1 REGULATORY SETTING

Federal Laws, Regulations, and Policies

Clean Air Act (CAA)

The CAA is implemented by the U.S. Environmental Protection Agency (USEPA) and sets ambient air limits, the National Ambient Air Quality Standards (NAAQS), for six criteria pollutants: particulate matter of aerodynamic radius of 10 micrometers or less (PM10), particulate matter of aerodynamic radius of 2.5 micrometers or less (PM2.5), carbon monoxide (CO), nitrogen dioxide (NO2), ground-level ozone, and lead. Of these criteria pollutants, particulate matter and ground-level ozone pose the greatest threats to human health.

State Laws, Regulations, and Policies

The California Air Resources Board (CARB) sets standards for criteria pollutants in California that are more stringent than the NAAQS and include the following additional contaminants: visibility-reducing particles, hydrogen sulfide, sulfates, and vinyl chloride. The Proposed Project is located in the desert portion of Los Angeles County (Figure 1).

The Antelope Valley Air Quality Management District (AVAQMD) is responsible for air quality attainment in this region; however, the Mojave Desert Air Quality Management District (MDAQMD) maintains the monitoring station in Lancaster, approximately 27 miles to the east-southeast. Violations of the federal ozone standard occur several times each summer, as do violations of the state standard for particulate matter (PM₁₀), usually in the fall and winter.

General Conformity Rule

Section 176(c) of the CAA provides that federal agencies cannot engage, support, or provide financial assistance for licensing, permitting, or approving any project unless the project conforms to the applicable State Implementation Plans (SIP). Under CAA Section 176(c) requirements, USEPA promulgated 40 Code of Federal Regulations (CFR) Part 51, Subpart W, and 40 CFR Part 93, Subpart B, “Determining Conformity of General Federal Actions to State or Federal Implementation Plans” (see 58 Federal Register (FR) 63214 (November 30, 1993), as amended; 75 FR 17272 (April 5, 2010) and 75 FR 17274.) These regulations, commonly referred to as the General Conformity Rule, apply to all federal actions except for those federal actions that are specifically excluded from review (e.g., stationary-source emissions) or are related to transportation plans, programs, and projects under Title 23 U.S. Code (USC) or the Federal Transit Act, which are subject to Transportation Conformity.

In states that have an approved SIP revision adopting General Conformity regulations, 40 CFR Part 51, Subpart W, applies; in states that do not have an approved SIP revision adopting General Conformity regulations, 40 CFR Part 93, Subpart B, applies. The Proposed Project sites are located in an area of California with approved SIPs adopting General Conformity regulations.

Attainment status for the AVAQMD is indicated in Table 2.

Table 3 - Attainment Status of the State and Federal Ambient Air Quality Standards

Ambient Air Quality Standard	AVAQMD
One-hour Ozone (Federal) – standard has been revoked, this is historical information	Proposed attainment in 2014; historical classification Severe-17
Eight-hour Ozone (Federal 84 ppb (1997))	Subpart 2 Nonattainment; classified Severe- 15
Eight-hour Ozone (Federal 75 ppb (2008))	Nonattainment, classified Severe-15
Eight-hour Ozone (Federal 70 ppb (2015))	Expected nonattainment; classification to be determined
Ozone (State)	Nonattainment; classified Extreme
PM ₁₀ 24-hour (Federal)	Unclassifiable/attainment
PM _{2.5} Annual (Federal)	Unclassified/attainment
PM _{2.5} 24-hour (Federal)	Unclassified/attainment
PM _{2.5} (State)	Unclassified
PM ₁₀ (State)	Nonattainment
Carbon Monoxide (State and Federal)	Attainment
Nitrogen Dioxide (State and Federal)	Attainment/unclassified
Sulfur Dioxide (State and Federal)	Attainment/unclassified

Ambient Air Quality Standard	AVAQMD
Lead (State and Federal)	Attainment
Particulate Sulfate (State)	Unclassified
Hydrogen Sulfide (State)	Unclassified
Visibility Reducing Particles (State)	Unclassified

Source: AVAQMD 2016

Six methods are available for demonstrating conformity:

1. Document that the emissions from the action are identified and accounted for in the SIP;
2. Obtain a statement from the applicable state or local air quality agency indicating that the emissions from the action, along with all other emissions in the area, would not exceed the budget for those emissions in the SIP;
3. Obtain from the local Metropolitan Planning Organization a statement indicating that the emissions are included in transportation plan modeling;
4. Obtain agreement from the state to include the emissions in the SIP;
5. Conduct air quality modeling to demonstrate that the emissions would not cause or contribute to a violation of the NAAQS; this modeling option is not available for areas in nonattainment for ozone or NO₂ and some PM_{2.5} areas; or
6. Mitigate or offset the increase in emissions; offset emissions must be offset to zero for ozone precursors, nitrogen dioxide and PM, not to the de minimis levels.

The Proposed Project is subject to review under the General Conformity Rule. At this time a formal General Conformity determination is not presented, but a comparison to de minimis thresholds is discussed as an indication of the potential General Conformity applicability and/or determination which will need to occur prior to the start of construction.

Table 4 - Applicable Significance Thresholds

Criteria Pollutant	Annual Threshold (tons)	Daily Threshold (pounds)
Greenhouse Gases (CO ₂ e)	100,000	548,000
Carbon Monoxide (CO)	100	548
Oxides of Nitrogen (NO _x)	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO _x)	25	137
Particulate Matter (PM ₁₀)	15	82
Particulate Matter (PM _{2.5})	12	65
Hydrogen Sulfide (H ₂ S)	10	54
Lead (Pb)	0.6	3

Source: AVAQMD 2016

Toxic Air Pollutants

USEPA and CARB regulate various stationary sources, area sources, and mobile sources. USEPA has regulations involving performance standards for specific sources that may release toxic air

contaminants (TACs), known as hazardous air pollutants (HAPs) at the federal level. In addition, USEPA has regulations involving emission criteria for off-road sources such as emergency generators, construction equipment, and vehicles. CARB has been granted permission to establish emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB also establishes passenger vehicle fuel specifications. Airborne Toxic Control Measures (ATCMs), including the following relevant measures, are implemented to address sources of TACs:

- ATCM for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower (hp) and Greater.

Local Laws, Regulations, and Policies

The AVAQMD has adopted plans to address ozone and particulate matter issues in the planning area (Table 5).

Table 5 - AVAQMD Attainment Plans

Name of Plan	Date of Adoption	Standard(s) Targeted	Applicable Area	Pollutant(s) Targeted	Attainment Date*
AVAQMD 2004 Ozone Attainment Plan (State and Federal)	4/2004	Federal one hour ozone	Entire District	NO _x and VOC	2007
AVAQMD Federal 8-Hour Ozone Attainment Plan	5/20/2008	Federal eight-hour ozone (84 ppb)	Entire District	NO _x and VOC	2019 (revised from 2021)

The AVAQMD maintains a set of Rules and Regulations to implement these plans. During construction, for example, Table 6 is in effect.

Table 3 - PM Measures Currently Implemented Within the AVAQMD

CARB Measure Description	AVAQMD Rule/Program
<p><u>Fugitive Dust. Construction: Earthmoving:</u> b) Prohibits Visible Dust Emission (VDE) beyond property line and an upwind/downwind PM10 differential of more than 50 µg/m³. Requires implementation of Best Available Control Measures (BACM) for all sources such that visible emissions do not exceed this limit 100 feet from the point of origin of earth-moving activities. List of BACM is contained in the Rule 403 Implementation Handbook. Specifies that a Dust Control Plan or a commitment to implement Table 1 and 2 control measures through a large operation notification (LON) is required for large operations projects with a disturbed surface area 100 acres or larger, or projects with daily earth movement of 10,000 cubic yards or more.</p>	<p>AVAQMD Rule 403 – <i>Fugitive Dust</i></p>
<p><u>Fugitive Dust. Construction: Demolition:</u> b) Prohibits VDE beyond property line. Requires application of BACM. Specifies that upwind- downwind PM10 levels must not exceed 50 µg/m³. Sets track-out requirements.</p>	<p>AVAQMD Rule 403 – <i>Fugitive Dust</i></p>
<p><u>Fugitive Dust. Construction: Grading Operations:</u> b) Requires water application to increase moisture content to proposed cut and grading each phase separately to coincide with the construction phase. Specifies that chemical stabilizers are to be applied to graded areas where construction will not begin for more than 60 days after grading.</p>	<p>AVAQMD Rule 403 – <i>Fugitive Dust</i></p>
<p><u>Fugitive Dust. Inactive Disturbed Land:</u> b) Prohibits VDE beyond property line. Requires application of BACM. Restricts vehicular access to the area. Apply water or chemical stabilizers/suppressants to sufficient to limit VDE.</p>	<p>AVAQMD Rule 403 – <i>Fugitive Dust</i></p>

3.3.2 ENVIRONMENTAL SETTING

The Proposed Project lies within the Antelope Valley of Los Angeles County and is not often associated with the characteristic smoggy haze which often envelops the highly polluted Los Angeles region and the San Bernardino Valley. Nonetheless, violations of the federal ozone standard and the state standard for particulate matter (PM10) occur several times each year.

The primary pollution sources in the vicinity of the Proposed Project area are vehicles and nearby residential and commercial activities. Residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land uses (AVCEQA 2016). Only residences are located close enough to the Proposed Project to trigger a threshold exceedance response.

The principal contribution of particulate material or ozone of the Proposed Project will be made during construction. During normal operation of the facilities, there will be no change during operation of the water treatment and distribution system. The proposed diesel generator to power these essential facilities would only operate during periodic testing and extended grid outages.

3.3.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not conflict with or obstruct implementation of the Los Angeles County General Plan Air Quality Element, AVAQMD attainment plans, or the rules and regulations adopted to implement these plans. **No impact** would occur relative to this issue.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?

Direct and Indirect Effects, Construction and Operation. The Project would not result in continuous cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). The Project would result in temporary minor construction-related emission. The Project would cause short-term air quality effects as a result of construction activities (equipment, vehicles, excavation); however, it would not result in long-term or cumulatively considerable increases in air quality pollutant emissions. To mitigate the potential for short-term construction-related emissions, **Mitigation Measure AIR-1** will be implemented. With Mitigation Measure AIR-1, **a less than significant impact** would occur relative to this issue.

MM AIR-1: To mitigate the potential for construction-related emissions, the Construction Contractor shall not exceed AVAQMD Rule 401 for visible emissions, Rule 404 for particulate matter – concentration, and adhere to requirements for Rule 403 for fugitive dust.

- c) Expose sensitive receptors to substantial pollutant concentrations?

Direct Effects, Construction and Operations. Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people), are more susceptible to the effects of air pollution than the general population. Land uses considered as sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. During the short-term construction periods associated with the Proposed Project, diesel exhaust particulate matter will be generated by construction equipment and vehicles. Diesel exhaust particulate matter is known by the State of California to include carcinogenic compounds, and long-term exposure to

diesel exhaust emissions has the potential to result in adverse health effects. The risks associated with exposure to carcinogenic substances are typically based on a lifetime of chronic exposure, which defined in the California Air Pollution Control Officers' Associated Air Toxics "Hot Spots" Program Risk Assessment Guidelines as 24 hours per day, 7 days per week, 365 days per year, for 70 years. Accordingly, given the short-term nature of the Proposed Project's construction period, and with the implementation of **Mitigation Measure AIR-1**, potential impacts related to exposure of existing sensitive receptors to substantial pollutant concentrations (including diesel exhaust) would be **less than significant**.

Indirect Effects. The Proposed Project would not indirectly generate pollutants and would therefore not expose sensitive receptors to substantial pollutant concentrations. **No impacts** would occur.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not result in indirect effects related to odors. The project does not include off-site components or facilitate additional projects that would generate new sources of odor. **No impact** would occur relative to this issue.

Cumulative Impacts. No reasonably foreseeable future actions were found (LACDRP 2015, Caltrans 2022) that are expected to provide cumulative impacts to the resource.

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES. Would the Proposed Project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community as identified in local or regional plans, policies, or regulations, or by CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State HCP?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.4.1 REGULATORY SETTING

Federal Laws, Regulations, and Policies

Endangered Species Act

The Endangered Species Act (ESA) (16 USC § 1531 et seq.; 50 CFR Parts 17 and 222) provides for conservation of species that are endangered or threatened throughout all or a substantial portion of their range, as well as protection of the habitats on which they depend. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) share responsibility for implementing the ESA. In general, USFWS manages terrestrial and freshwater species, whereas NMFS manages marine and anadromous species.

Section 9 of the ESA and its implementing regulations prohibit the “take” of any fish or wildlife species listed under the ESA as endangered or threatened, unless otherwise authorized by federal regulations. The ESA defines the term “take” to mean “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 USC § 1532). Section 7 of the ESA (16 USC § 1531 et seq.) outlines the procedures for federal interagency cooperation to conserve federally-listed species and designated critical habitats. Section 10(a)(1)(B) of the ESA provides a process by which nonfederal entities may obtain an incidental take permit from USFWS or NMFS for otherwise lawful activities that incidentally may result in “take” of endangered or threatened species, subject to specific conditions.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 USC Chapter 7, Subchapter II) protects migratory birds. Most actions that result in take, or the permanent or temporary possession of, a migratory bird, or the parts, nests, or eggs of such a bird, constitute violations of the MBTA. The MBTA also prohibits destruction of occupied nests. USFWS is responsible for overseeing compliance with the MBTA.

Executive Order 11990, Protection of Wetlands

Executive Order (EO) 11990 provides for protection of wetlands from federal or federally approved projects when a practicable alternative is available. If impacts on wetlands cannot be avoided, all practicable measures to minimize harm must be included. US Army Corps of Engineers is the administering agency.

Federal Land Policy and Management Act of 1976

Public land managed by the US Department of the Interior, Bureau of Land Management (BLM) is regulated under the Federal Land Policy and Management Act of 1976 (FLPMA). Under this regulation, the BLM develop Resource Management Plans (RMPs) that direct BLM District Offices in the sustainable, best use of the biological resources of the public land. For the Proposed Project, nearby public land falls under the jurisdiction of the BLM California Deserts District Office and the Desert Renewable Energy Conservation Plan RMP, last amended in 2016 (BLM 2022).

State Laws, Regulations, and Policies

California Fish and Game Code

The California Fish and Game Code (F&G) includes various statutes that protect biological resources, including the Native Plant Protection Act of 1977 (NPPA) and the California Endangered Species Act (CESA). The NPPA (F&G §§ 1900-1913) authorizes the Fish and Game Commission to designate plants as endangered or rare and prohibits take of any such plants, except as authorized in limited circumstances.

CESA (F&G §§ 2050–2098) prohibits state agencies from approving a project that would jeopardize the continued existence of a species listed under CESA as endangered or threatened. F&G § 2080 prohibits the take of any species that is state listed as endangered or threatened or designated as a candidate for such listing. The California Department of Fish and Wildlife (CDFW) may issue an incidental take permit authorizing take of listed and candidate species if that take is incidental to an otherwise lawful activity, subject to specified conditions. F&G §§ 3503, 3513, and 3800 protect native and migratory birds, including their active or inactive nests and eggs, from all forms of take. In addition, F&G §§ 3511, 4700, 5050, and 5515 identify species that are fully protected from all forms of take. F&G Section 3511 lists fully protected birds, § 5515 lists fully protected fish, § 4700 lists fully protected mammals, and § 5050 lists fully protected amphibians.

Local Laws, Regulations, and Policies

Los Angeles County General Plan

The Los Angeles County 2035 General Plan (LACDRP 2015) contains goals and policies to protect the biological resources of the County. The Conservation and Natural Resources Element guides the long-term conservation of natural resources and preservation of available open space areas. The Significant Ecological Area (SEA) designation is given to land that contains irreplaceable biological resources.

Los Angeles County Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance (Title 22, Part 16) has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have adopted the county ordinance or their own ordinance which may be more stringent. Under the Ordinance a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the protected zone of any tree of the oak tree genus (*Quercus*), which is 8' or more in diameter four and one-half feet above mean natural grade or in the case of oaks with multiple trunks a combined diameter of twelve inches or more of the two largest trunks, without first obtaining a permit.

Los Angeles County California Oak Woodlands Conservation Management Plan

The Los Angeles County California Oak Woodlands Conservation Management Plan provides consistent policy for the management of oak woodlands that can be incorporated into the Los Angeles County General Plan and other relevant planning documents, developing a comprehensive and cohesive strategy for dealing with loss, and creating opportunities for recovering oak woodlands.

3.4.2 ENVIRONMENTAL SETTING

In 2021, Randel Wildlife Consulting, Inc. (Randel) was contracted by MVMWC to do a biological investigation of the Proposed Project area consistent in scale with a CEQA Initial Study. In October of 2021, Randel staff performed a site pedestrian survey. The data and conclusions to these efforts are contained in the Biological Report, attached to this document (Appendix B).

In 2023, Randel conducted a burrowing owl survey for the Proposed Project area. The survey area was monitored during nesting and winter months (January, April, May, and June). The data and conclusions to these efforts are contained in the Burrowing Owl Survey Report, attached to this document (Appendix C).

The environmental setting of the subject property, and associated survey area, is generally developed/industrial, transportation (SR-138), or ruderal agricultural. A portion of the site is currently adjacent to farmhouses. The Proposed Project site exhibits signs of moderate to heavy anthropogenic activity as evidenced by existing compacted dirt roads/driveways, wells, storage tanks, fences, pumps, and electrical equipment.

3.4.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Direct and Indirect Effects, Construction and Operation. Less than significant impact with mitigation are anticipated from the proposed facility modifications. All proposed construction activities and facility modifications are anticipated to occur in previously disturbed areas and/or modifications to existing facilities. To minimize potential effects from construction to these areas, Mitigation Measures BIO-1, BIO-2, and BIO-3 will be implemented.

Mitigation Measure BIO-1: To avoid direct injury and mortality of species of special concern (SSC), the Project applicant shall retain a qualified biologist no less than two weeks prior to the start of field construction activities. Biologist shall conduct a pre-construction survey of work areas and access areas, seven to ten calendar days in advance of the start of each phase of construction. Up to two phases of construction are anticipated. Of particular focus will be migratory birds, including burrowing owl. Biologist shall move out of harm's way wildlife of low mobility that would be injured or killed. Wildlife shall be protected and allowed to move away on its own in a passive manner. Biologist shall document a description of the surveys and any findings. In areas where an SSC was found, work may only occur in these areas after a qualified biologist has determined it is safe to do so. The biologist shall flag areas of concern and establish an appropriate buffer. The biologist shall advise workers to proceed with caution near flagged areas.

A qualified biologist shall be on site daily during initial ground- and habitat-disturbing activities and vegetation removal for each phase of work. Then, the qualified biologist shall be on bi-weekly (once every 2 weeks) for the remainder of the Project until the cessation of, or start of an extended pause in, ground-disturbing activities to ensure that no wildlife of any kind is harmed. Biologist shall document a description of the monitoring activities and any findings.

If any burrowing owls, or other migratory bird, fly onto the property, the biologist shall stop work in the area and allow the burrowing owl (or any other migratory bird) to fly away on its own. Additionally, the biologist may stop work if any additional wildlife, such as small reptile species, are in harm's way during Project activities.

Mitigation Measure BIO-2: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife documented immediately. The biologist shall submit a formal report to CDFW and to the State Water Resources Control Board (CEQA lead agency) within 3 calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and location of the carcass or injured animal, and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

Mitigation Measure BIO-3: A qualified biologist will conduct pre-construction survey(s) for nesting birds and raptors within a 500-foot radius of the Project site within 7 days prior to the start of Project activities. If Project activities are delayed or suspended for more than 7 days during the breeding season, the nesting bird and raptor survey shall be repeated. Should any active nest of birds or raptors be discovered, where Project impacts would occur, the biologist will identify a suitable

construction-free buffer around the nest. This buffer will be identified by species, nest type, and tolerance to disturbance. At a minimum, the buffer shall be at least 500 feet around active raptor nests and 100 feet around nests of migratory bird species. Personnel working on the Project, including all contractors working on site, shall be instructed on the presence of nesting birds and adherence to no disturbance buffers. Construction shall be prohibited in the buffer zone until the young have fledged and are capable of foraging independently. A qualified biologist shall monitor the nests once per week and a report will be submitted to the State Water Resources Control Board (CEQA lead agency) weekly.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community as identified in local or regional plans, policies, or regulations, or by CDFW or USFWS?

Direct and Indirect Effects, Construction and Operation. No riparian habitat or other sensitive natural communities were identified in the Biological Report on the Proposed Project sites (Appendix B). **No impact.**

- c) 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?

Direct and Indirect Effects, Construction and Operation. No potential waters of the US or wetlands were identified within or immediately adjacent to the Proposed Project sites. Three waters were identified with 0.75 miles of the Proposed Project sites, including two freshwater ponds to the southeast and southwest, and the California Aqueduct to the north. The two freshwater ponds south are upslope, and the Proposed Project will have no direct or indirect impact on these waters. The California Aqueduct is located 3,611 ft north, and the Proposed Project will have no potential direct or indirect impact. **No impact.**

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Direct and Indirect Effects, Construction and Operation. The Proposed Project will not cause an impact to the movement of any native resident or migratory fish or wildlife species, to wildlife corridors, or to wildlife nursery sites. No wildlife movement or connectivity features were found within the Proposed Project sites (Appendix B). **No impact.**

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not conflict with the Los Angeles County Oak Tree Ordinance or the Los Angeles County California Oak Woodlands Conservation Management Plan. **No impact.**

- f) Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State HCP?

Direct and Indirect Effects, Construction and Operation. The Proposed Project site is within the Desert Renewable Energy Conservation Plans (DRECP) boundary, but the Proposed Project is not subject to the provisions of the DRECP because it is not related to renewable energy development. The Proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State HCP. **No impact.**

Cumulative Impacts. No reasonably foreseeable future actions were found (LACDRP 2015, Caltrans 2022) that are expected to provide cumulative impacts to the resource.

3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES. Would the Proposed Project:				
a) Cause a substantial adverse change in the significance of a historical resource in pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.5.1 REGULATORY SETTING

State Laws, Regulations, and Policies

CEQA and CEQA Guidelines

Section 21083.2 of the California Public Resources Code (Public Resources Code) requires that the lead agency determine whether a project may have a significant effect on unique archaeological resources. A unique archaeological resource is defined in the Public Resources Code as an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is demonstrable public interest in that information;
- Has a special or particular quality, such as being the oldest of its type or the best available example of its type; or

- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are also provided under Public Resources Code § 21083.2.

Section 15064.5 of the CEQA Guidelines notes that “a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” Substantial adverse changes include physical changes to the historical resource or to its immediate surroundings, such that the significance of the historical resource would be materially impaired. CEQA lead agencies are expected to identify potentially feasible measures to mitigate significant adverse changes in the significance of a historical resource before they approve such projects. Historical resources are those that are:

- Listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR) (Public Resources Code §5024.1[k]);
- Included in a local register of historic resources (Public Resources Code §5020.1) or identified as significant in an historic resource survey meeting the requirements of Public Resources Code §5024.1(g); or
- Determined by a lead agency to be historically significant.

CEQA Guidelines § 15064.5 also prescribes the processes and procedures found under Health and Safety Code § 7050.5 and Public Resources Code § 5097.95 for addressing the existence of, or probable likelihood of, Native American human remains, as well as the unexpected discovery of any human remains within the Proposed Project site. This includes consultation with the appropriate Native American tribes.

CEQA Guidelines § 15126.4 provides further guidance about minimizing effects to historical resources through the application of mitigation measures. Mitigation measures must be legally binding and fully enforceable.

California Register of Historical Resources

Public Resources Code § 5024.1 establishes the CRHR. The register lists all California properties considered to be significant historical resources. The CRHR includes all properties listed as or determined to be eligible for listing in the National Register of Historic Places (NRHP), including properties evaluated under Section 106 of the National Historic Preservation Act (NHPA). The criteria for listing are similar to those of the NRHP. Criteria for listing in the CRHR include resources that:

- Are associated with the events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Are associated with the lives of persons important in our past;
- Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
- Have yielded, or may be likely to yield, information important in prehistory or history.

The regulations set forth the criteria for eligibility as well as guidelines for assessing historical integrity and resources that have special considerations.

California Health and Safety Code Section 7050.5

Health and Safety Code section 7001 defines “human remains” or “remains” as, “the body of a deceased person, regardless of its stage of decomposition, and cremated remains”. It is possible that human remains may be present at surface and subsurface levels. State law prescribes protective measure that must be taken if human remains are discovered. Specifically, section 7050.5 of the California Health and Safety Code requires that the County Coroner shall be immediately notified of the discovery and no further excavation or disturbance of the site, or any nearby area may continue until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the Native American Heritage Commission (NAHC) within 24 hours.

Public Resources Code Section 5097.98

In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Local Regulations and Policies

Los Angeles County Historical Landmarks and Records Commission

Los Angeles County Historical Landmarks and Records Commission reviews and recommends cultural heritage resources in the unincorporated areas for inclusion in the State Historic Resources Inventory. The County’s Historic Preservation Ordinance seeks to preserve, conserve and protect buildings, objects, landscapes and other artifacts of historical and cultural significance.

Los Angeles General Plan

The Los Angeles County 2035 General Plan (LACDRP 2015) contains goals and policies to protect the cultural and paleontological resources under the Conservation and Natural Resources Element. The Plan contains three goals: Protection and Preservation of Archaeological Resources, Protection and Conservation of the Historical Built Environment, and Educational and Scientific Uses.

Eleven significant general fossil localities have been identified in the County. Fossils continue to be discovered in Los Angeles County in association with ground-disturbing activities in fossil-rich areas.

3.5.2 ENVIRONMENTAL SETTING

In 2021, Cogstone Resource Management, Inc. (Cogstone) was contracted by MVMWC to do an archeological and historical resources investigation of the Proposed Project area (Appendix C). The investigation includes a records search of files at the South Central Coastal Information Center (SCCIC), a Sacred Lands File (SLF) search at the Native American Heritage Commission (NAHC), and field inspection. An archaeological literature and records search was conducted at the SCCIC, of the California Historical Resources Information System housed at California State University, Fullerton, on August 26, 2021, with a mile buffer around the Project area. The results of this search indicated

that no cultural resource studies were completed within the Project area and no cultural resources are recorded within the Project area. The California Historical Resources Information System (CHRIS) search also included searching the lists of resources on or determined eligible for the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), California State Historical Landmarks, California State Points of Historical Interest. No listed or list eligible resources were identified in the Project area.

The field inspection identified two MVMWC well facilities that are over 50 years old, one dates to 1953 and the other to 1965. These were evaluated for eligibility the CRHR and found ineligible; therefore, they are not historical resources for the purposes of CEQA.

3.5.3 DISCUSSION OF IMPACTS

Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Direct and Indirect Effects, Construction and Operation. During the cultural resource investigation, no historical resources were identified, as defined in Section 15064.5. While no historical resources were found, encountering historical resources during construction could cause potentially significant impacts. Incorporating mitigation measure CUL-1 would reduce potentially significant impacts to less than significant levels. **Less than significant with mitigation incorporated.**

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Direct and Indirect Effects, Construction and Operation. During the cultural resource investigation, no archaeological resources were identified as defined in Section 15064.5. While no archaeological resources were found, encountering archaeological resources during construction could cause potentially significant impacts. Incorporating mitigation measure CUL-1 would reduce potentially significant impact to less than significant levels. **Less than significant with mitigation incorporated.**

- c) Disturb any human remains, including those interred outside of formal cemeteries?

Direct and Indirect Effects, Construction and Operation. No human remains were identified onsite and there was no evidence found in the course of preparing the cultural resources assessment that the area has been used as a cemetery or burial ground in the past. Regardless, it is always possible that human remains could be encountered during construction. State law prescribes protective measures that must be taken in the event that human remains are discovered. Incorporation of Mitigation Measure CUL-2 would ensure that potentially significant impacts would be reduced to **less than significant with mitigation incorporated.**

Mitigation Measure CUL-1. In the event that new cultural resources are discovered during the project, all ground-disturbing activities in the vicinity of the find shall cease, and an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards (National Park Service 1983) shall be retained to evaluate the find. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If the

historical or archaeological resource is Native American in origin, the Fernandeano Tataviam Band of Mission Indians will also be notified and shall be provided information and invited to perform a site visit when the archaeologist makes his/her assessment, to provide tribal input on the evaluation. After the assessment is completed, the archaeologist shall submit a report to the State Water Board describing the significance of the discovery with cultural resource management recommendations. If a resource is determined by the State Water Board, based on recommendations of the qualified archaeologist, and the Fernandeano Tataviam Band of Mission Indians if appropriate, to constitute a “historical resource” or “unique archaeological resource”, or a “tribal cultural resource”, time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2 for unique archaeological resources, and section 21084.3 for tribal cultural resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. If the find is Native American, the SWRCB and landowner shall, in good faith, consult with the Fernandeano Tataviam Band of Mission Indians on the disposition and treatment of any Native American artifacts or other cultural materials encountered during the project.

Mitigation Measure CUL-2. Upon discovery of human remains or potential human remains, Health and Safety Code 7050.5 shall be implemented. The Los Angeles County Coroner (Coroner) shall be immediately notified of the discovery and the discovery site shall be protected from further disturbance. Work may continue away from the discovery until the coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

3.6 ENERGY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
ENERGY. Would the Project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.6.1 REGULATORY SETTING

State Laws, Regulations, and Policies

CEQA and CEQA Guidelines

The goal of conserving energy implies its wise and efficient use. The means of achieving this goal include:

- decreasing overall per capita energy consumption,
- decreasing reliance on fossil fuels such as coal, natural gas and oil, and
- increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (see Public Resources Code section 21100(b)(3)). Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, cost effectiveness may be determined more by energy efficiency than by initial dollar costs. A lead agency may consider the extent to which an energy source serving the project has already undergone environmental review that adequately analyzed and mitigated the effects of energy production.

Local Regulations and Policies

Los Angeles County General Plan

The Los Angeles County 2035 General Plan (LACDRP 2015) contains goals and policies to reduce the consumption of non-renewable energy and to encourage the conversion to renewable sources. In 2006, the Board of Supervisors adopted an Energy and Environmental Program (EEP) for the development and enhancement of energy conservation and environmental programs for County departments.

The County also has adopted energy conservation goals under the Mineral and Energy Resources Element of the General Plan that encourage the production and use of renewable energy resources, the effective management of energy resources, such as ensuring adequate reserves to meet peak demands, and distributed energy systems that use existing infrastructure and reduce environmental impacts.

3.6.2 ENVIRONMENTAL SETTING

The Proposed Project is not changing the energy generation, transmission, or distribution infrastructure of the County. Power infrastructure changes are limited to undergrounding of an electrical service to improve access to the existing well, installation of a new electrical service to a proposed well, installation of a new generator and automatic transfer switch, and removal of an electrical service to the existing Well No. 2. The use of more efficient pumps and other water production and storage components will result in a net savings of energy, and an attenuation of energy consumption. The Well No. 1 pump and motor will be replaced with a smaller pump and motor. This will result in a more attenuated energy demand (longer operation at a lower power consumption). The booster pumps will be replaced with a new variable frequency driven booster pump, also resulting in attenuated and more efficient pumping. The system will see energy savings from reduced motor starts/stops.

3.6.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Direct Effects, Construction and Operation. Construction activities would require the use of gasoline, diesel fuel, other fuels, and electricity in order to be completed. Energy usage during construction typically involves the use of motor vehicles both for transportation of workers and equipment but also for direct construction actions such as the use of cranes, excavators, and trucks. This one-time energy expenditure required to construct the Proposed Project would be non-recoverable. However, energy needs for project construction would be temporary and would not require additional capacity or increase peak or base period demands for electricity or other forms of energy. Additional energy usage would occur as power for tools and equipment used on-site; including but not limited to gas generators, air compressors, air handlers and filters, and other typical direct construction energy uses. The Proposed Project operation would require electricity to power various components, including water pumps and security lighting. However, the new facilities would be smaller (Well No. 1 pump/motor) and more efficient (VFD-driven booster pumps), replacing larger and aging equipment, offsetting energy losses associated with pumping through the proposed arsenic removal media, and thus would likely be more energy efficient. Potentially significant environmental impact due to

wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation would be **less than significant**.

Indirect Effects. The Proposed Project would result in a slight decrease in energy use and an attenuation of energy consumption. **No impact.**

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Direct and Indirect Effects, Construction and Operation. The Los Angeles County General Plan (LACDRP 2015) provides techniques that could help achieve a range of sustainable development. The Proposed Project would be consistent with all applicable General Plan goals and strategies, particularly Goal LU 11 Development that utilize sustainable design techniques. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **No impact** would occur relative to this issue.

3.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS. Would the Proposed Project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) strong seismic ground shaking?; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) seismic-related ground failure, including liquefaction?; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
result of the Project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.7.1 REGULATORY SETTING

Federal Laws, Regulations, and Policies

The National Earthquake Hazards Reduction Act

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) and creation of the National Earthquake Hazards Reduction Program (NEHRP) established a long-term earthquake risk reduction program to better understand, predict, and mitigate risks associated with seismic events. Four federal agencies are responsible for coordinating activities under NEHRP; U.S. Geological Survey (USGS); National Science Foundation (NSF); Federal Emergency Management Agency (FEMA); and National Institute of Standards and Technology (NIST). Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. The current program objectives (NEHRP 2016) are as follows:

- Developing effective measures to reduce earthquake hazards;
- Promoting the adoption of earthquake hazard reduction activities by federal, state, and local governments, national building standards and model building code organizations, engineers, architects, building owners, and others who play a role in planning and constructing buildings, bridges, structures, and critical infrastructure or “lifelines”;

- Improving the basic understanding of earthquakes and their effects on people and infrastructure through interdisciplinary research involving engineering, natural sciences, and social, economic, and decision sciences; and
- Developing and maintaining the USGS seismic monitoring system (Advanced National Seismic System); the NSF-funded project aimed at improving materials, designs, and construction techniques (George E. Brown Jr. Network for Earthquake Engineering Simulation); and the global earthquake monitoring network (Global Seismic Network).

Implementation of NEHRP objectives is accomplished primarily through original research, publications, and recommendations and guidelines for state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

State Laws, Regulations, and Policies

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code § 2621 et seq.) was passed to reduce the risk to life and property from surface faulting in California. The Alquist-Priolo Act prohibits construction of most types of structures intended for human occupancy on the surface traces of active faults and strictly regulates construction in the corridors along active faults (earthquake fault zones). It also defines criteria for identifying active faults, giving legal weight to terms such as “active,” and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones. Under the Alquist-Priolo Act, faults are zoned and construction along or across them is strictly regulated if they are “sufficiently active” and “well defined.” Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 (Public Resources Code §§ 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist-Priolo Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist-Priolo Act: The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other seismic hazards, and cities and counties are required to regulate development within mapped seismic hazard zones. In addition, the act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability. Under the Seismic Hazards Mapping Act, cities and counties may withhold the development permits for a site within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans.

California Building Standards Code

Title 24 CCR, also known as the California Building Standards Code (CBC), specifies standards for geologic and seismic hazards other than surface faulting. These codes are administered and updated by the California Building Standards Commission. The CBC specifies criteria for open excavation, seismic design, and load-bearing capacity directly related to construction in California.

Local Laws, Regulations, and Policies

Los Angeles County General Plan

The Los Angeles County 2035 General Plan (LAC 2015) contains goals and policies to protect the public from seismic hazards due to the 50 active and potentially active fault segments, an undetermined number of buried faults, and at least four blind thrust faults occurring across the County. Section 113 of the County Building Code prohibits the location of most structures for human occupancy across the traces of active faults and lessens the impacts of fault rupture.

3.7.2 ENVIRONMENTAL SETTING

The Proposed Project is located within the Mojave Desert geomorphic province, a broad interior region of isolated mountain ranges separated by expanses of desert plains. There are two regionally extensive fault trends that control topography in the Proposed Project area; the Garlock and the San Andreas Fault Zones (NV5 2022).

In the vicinity of the Proposed Project, the subsurface is composed of late Holocene (active) unconsolidated alluvial fan material, shed off of the NW/SE trending Libre Mountains. Underlying these deposits at the Proposed Project location is the late Miocene, Oso Canyon Formation, a coarse-grained, arkosic sandstone interbedded with conglomerate and siltstone. Northeastern movement on a thrust fault has emplaced the early Miocene to late Oligocene Neenach Volcanic Series units on top of the Oso Canyon Formation in the adjacent Libre Mountains foothills (Olson and Swanson 2019).

The Neenach Volcanic Series comprises interbedded, silicic-to-intermediate composition, lava flows and pyroclastic units. These volcanic rocks date from about 18 to 24 Ma before present and are correlative with the Pinnacles Volcanic Formation, approximately 315 km northwest. Movement on the San Andreas Fault separated the two parts of the contemporaneous volcanic deposits (Olson and Swanson 2019).

3.7.3 DISCUSSION OF IMPACTS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Direct and Indirect Effects, Construction and Operation. Despite the fact that the Proposed Project area is within an active seismic area in southern California, the Proposed Project sites are not underlain by active, potentially active, or inactive faults, nor are they within a State of California Earthquake Fault Zone. **No impact.**

ii. Strong seismic ground shaking?

Direct and Indirect Effects, Construction and Operation. Given the location of the Proposed Project, it could be subjected to potential seismic hazards including rupture ground shaking and ground failure. The Project Geotechnical Report anticipated this concern and has developed minimum design standards for use in the construction, operation and maintenance of the Proposed Project that will conform to 2019 California Building Code (CBC) and ASCE 7-16 guidance document (NV5 2022). **Less than significant impact.**

iii. Seismic-related ground failure, including liquefaction?

Direct and Indirect Effects, Construction and Operation. Seismically-induced liquefaction of soils is a potential geologic hazard, given the proximity of two major fault zones. Despite this, the Geotechnical Report reviewed the material properties of subsurface soils at the site and the depth to ground water (350 feet below ground surface). This analysis concluded that the potential for liquefaction at the Proposed Project was low (NV5 2022). **Less than significant impact.**

iv. Landslides?

Direct and Indirect Effects, Construction and Operation. Given the flat topography of the site there is no indication that landslides would affect the Proposed Project. **No impact.**

b) Result in substantial soil erosion or loss of topsoil?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not result in substantial soil erosion or the loss of topsoil. Construction activities would result in temporary soil disturbance throughout the Proposed Project area. The majority of soil disturbance would occur in previously disturbed areas and ground disturbance would be limited. Disturbed soils would be exposed to erosion during construction as soils loosen and become susceptible to the effects of wind and precipitation events, also addressed in the Stormwater Pollution Prevention Plan (SWPPP). However, the Proposed Project is not expected to result in substantial soil erosion due to the current conditions of the Proposed Project area. Substantial soil erosion or loss of topsoil would be **less than significant.**

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

Direct and Indirect Effects, Construction and Operation. As concluded by the Geotechnical Report (NV5 2022), the Proposed Project site is underlain by material that is generally not susceptible to landslide, lateral spreading, subsidence, liquefaction, or collapse. A **less than significant impact** would occur relative to this issue.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Direct and Indirect Effects, Construction and Operation. A representative sample of the on-site soils was tested for its expansion potential and was found to have a “very low” expansion potential (NV5 2022). Potential exposure of people or buried infrastructure to substantial adverse effects, including the risk of loss, injury, or death from expansive soils would be **less than significant**.

- e) 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?

Direct and Indirect Effects, Construction and Operation. The Proposed Project does not involve the construction of septic tanks or alternative wastewater disposal systems. **No impact** would occur relative to this issue.

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Direct and Indirect Effects, Construction and Operation. No paleontological resources or unique geological features have been previously documented within or near the Proposed Project site and the underlying late Holocene (active) unconsolidated alluvial fan material has not yielded significant paleontological remains. **No impact** would occur relative to this issue.

3.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS. Would the Project:				
a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.8.1 REGULATORY SETTING

Local Regulations and Policies

Los Angeles County General Plan

The Los Angeles County 2035 General Plan (LACDRP 2015) contains goals and policies to reduce the production of greenhouse gases (GHGs). In 2018, the Board of Supervisors adopted Unincorporated Los Angeles County Community Climate Action Plan 2020, which is designed to reduce GHG emissions by 11% below 2010 levels by 2020.

The County also has adopted energy conservation goals under the Mineral and Energy Resources Element of the General Plan that encourage the production and use of renewable energy resources, the effective management of energy resources, such as ensuring adequate reserves to meet peak demands, and distributed energy systems that use existing infrastructure and reduce environmental impacts.

3.8.2 ENVIRONMENTAL SETTING

Climate change results from the accumulation in the atmosphere of GHGs, which are produced primarily by the burning of fossil fuels for energy. Because GHGs (carbon dioxide (CO₂), methane (CH₄), and nitrous oxide) persist and mix in the atmosphere, emissions anywhere in the world affect the climate everywhere in the world. GHG emissions are typically reported in terms of carbon dioxide equivalents (CO₂e) which converts all GHGs to an equivalent basis taking into account their global warming potential compared to CO₂.

Anthropogenic (human-caused) emissions of GHGs are widely accepted in the scientific community as contributing to global warming. Temperature increases associated with climate change are expected to adversely affect plant and animal species, cause ocean acidification and sea level rise, affect water supplies, affect agriculture, and harm public health.

Global climate change is already affecting ecosystems and societies throughout the world. Climate change adaptation refers to the efforts undertaken by societies and ecosystems to adjust to and prepare for current and future climate change, thereby reducing vulnerability to those changes. Human adaptation has occurred naturally over history; people move to more suitable living locations, adjust food sources, and more recently, change energy sources. Similarly, plant and animal species also adapt over time to changing conditions; they migrate or alter behaviors in accordance with changing climates, food sources, and predators.

Many national, as well as local and regional, governments are implementing adaptive practices to address changes in climate, as well as planning for expected future impacts from climate change. Some examples of adaptations that are already in practice or under consideration include conserving water and minimizing runoff with climate-appropriate landscaping, capturing excess rainfall to minimize flooding and maintain a constant water supply through dry spells and droughts, protecting valuable resources and infrastructure from flood damage and sea level rise, and using water-efficient appliances. In 2014, the USEPA adopted a Climate Change Adaptation Plan, which identifies vulnerabilities from climate change, and provides guiding principles for adaptation and performance measures. California has an adopted statewide Climate Adaptation Strategy and its update, the Safeguarding California Plan, which combined summarize climate change impacts, recommend adaptation strategies, and make realistic sector-1 specific recommendations for the nine sectors identified in the plans, including water and energy sectors.

In 2013, the transportation sector of the California economy was the largest source of emissions, accounting for approximately 37 percent of the total emissions. On-road vehicles accounted for more than 90 percent of emissions in the transportation sector. The industrial sector accounted for approximately 20 percent of the total emissions, and emissions from electricity generation were about 20 percent of the total. The rest of the emissions are made up of various sources (CARB 2017).

3.8.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

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

Direct and Indirect Effects, Construction and Operation. The Los Angeles County General Plan Air Quality Element provides goals and policies on GHG emissions (LACDRP 2015). The Proposed Project would be consistent with all applicable General Plan goals and strategies, particularly Goal AQ 3 Implementation of plans and programs to address the impacts of climate change.

GHG emissions resulting from construction activities would be short term and minor.

The Proposed Project would not increase the generation of emissions after construction is complete because water production and distribution operations would be similar to the current operations. The well site, electrical improvements, and replacement storage tanks would improve distribution operations and potentially reduce the long-term operational emissions, which could result in a slight decrease in GHG emissions over the long term. The proposed diesel generator would only operate during periodic testing and during extended grid outages. Potential impacts from GHG emissions would be **less than significant**.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not generate significant emissions of GHGs and, therefore, the project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. The proposed generator will be permitted by the AVAQMD prior to operation. **No impact** would occur relative to this issue.

3.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS. Would the Project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS. Would the Project:				
release of hazardous materials into the environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.9.1 REGULATORY SETTING

Hazardous materials and hazardous wastes are subject to extensive federal, state, and local regulations to protect public health and the environment. These regulations provide definitions of hazardous materials, establish reporting requirements, set guidelines for handling, storage, transport, and disposal of hazardous wastes, and require health and safety provisions for workers and the public. The major federal, state, and regional agencies enforcing these regulations are USEPA; Occupational Safety and Health Administration (OSHA); California Department of Toxic Substances Control (DTSC); California Department of Industrial Relations, Division of Occupational

Safety and Health (Cal/OSHA); California Governor’s Office of Emergency Services (Cal OES); and the State Water Resources Control Board (SWRCB).

Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also called the Superfund Act; 42 USC § 9601 et seq.) is intended to protect the public and the environment from the effects of past hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the “Superfund”) for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program that warns the public about potential new hazardous material spills.

The California Department of Toxic Substances Control (DTSC) is responsible for implementing the RCRA program as well as California’s own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law. Under the Certified Unified Program Agency (CUPA) program, the California Environmental Protection Agency (Cal/EPA) has in turn delegated enforcement authority to the County of Los Angeles (County) for state law regulating hazardous waste producers or generators.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (RCRA; 42 USC § 6901 et seq.), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste and hazardous waste in the United States. These laws provide for the “cradle-to-grave” regulation of hazardous wastes, including generation, transportation, treatment, storage, and disposal. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California received authority to implement the RCRA program in August 1992. DTSC is responsible for implementing the RCRA program in California, in addition to California’s own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

Spill Prevention, Control, and Countermeasure Rule

USEPA's Spill Prevention, Control, and Countermeasure (SPCC) Rule (40 CFR, Part 112) apply to facilities with a single above-ground storage tank (AST) with a storage capacity greater than 660 gallons, or multiple tanks with a combined capacity greater than 1,320 gallons. The rule includes requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans.

Occupational Safety and Health Administration (OSHA)

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

Emergency Planning Community Right-to-Know Act (EPCRA)

The EPCRA, also known as SARA Title III, was enacted in October 1986. This law requires any infrastructure at the state and local levels to plan for chemical emergencies. Reported information is then made publicly available so that interested parties may become informed about potentially dangerous chemicals in their community. EPCRA Sections 301 through 312 are administered by EPA's Office of Emergency Management. EPA's Office of Information Analysis and Access implements the EPCRA Section 313 program. In California, SARA Title III is implemented through the DTWC, California Accidental Release Prevention (CalARP) Program.

State Laws, Regulations, and Policies

Safe Drinking Water and Toxic Enforcement Act of 1986 - Proposition 65

The Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as Proposition 65, protects the state's drinking water sources from contamination with chemicals known to cause cancer, birth defects, or other reproductive harm. Proposition 65 also requires businesses to inform the public about exposure to such chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. In accordance with Proposition 65, the California Governor's Office publishes, at least annually, a list of such chemicals. The Office of Environmental Health Hazard Assessment (OEHHA), an agency under the California Environmental Protection Agency (CalEPA), is the Lead Agency for implementation of the Proposition 65 program. Proposition 65 is enforced through the California Attorney General's Office; however, district and city attorneys and any individual acting in the public interest may also file a lawsuit against a business alleged to be in violation of Proposition 65 regulations.

California Occupational Safety and Health Administration (Cal/OSHA)

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans. Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers also must make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible radiofrequency (RF) radiation exposure limits for workers (Title 8 CCR § 5085(b)) and requires warning signs where RF radiation may exceed the specified limits (Title 8 CCR § 5085(c)).

Cal/OSHA's Lead in Construction Standard is contained in Title 8, Section 1532.1 of the California Code of Regulations. The regulations address all of the following areas: permissible exposure limits; exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection; employee information, training, and certification; signage; record keeping; monitoring; and agency notification.

CalARP

The purpose of CalARP is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. In accordance with this program, businesses that handle more than a threshold quantity of regulated substance are required to develop a risk management plan (RMP). This RMP must provide a detailed analysis of potential risk factors and associated mitigation measures that can be implemented to reduce accident potential. Certified Unified Program Agencies implement the CalARP program through review of RMPs, facility inspections, and public access to information that is not confidential or trade secret.

California Health and Safety Code and Code of Regulations

California Health and Safety Code Chapter 6.95 and 19 California Code of Regulations Section 2729 set out the minimum requirements for business emergency plans and chemical inventory reporting. These regulations require businesses to provide emergency response plans and procedures, training program information, and a hazardous material chemical inventory disclosing hazardous materials stored, used, or handled on site. A business that uses hazardous materials or a mixture containing hazardous materials must establish and implement a business plan if the hazardous material is handled in certain quantities.

State Asbestos-Containing Materials (ACM) Regulations

State-level agencies, in conjunction with the USEPA and OSHA, regulate removal, abatement, and transport procedures for asbestos-containing materials. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, state, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos.

California Building Code

The State of California provided a minimum standard for building design through the 2010 California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations (CCR). The 2010 CBC is based on the 1997 Uniform Building Code but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan-checked by local city and county building officials for compliance with the CBC. Typical fire safety requirements of the CBC include: the installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the

clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

California Fire Code (2010)

California Code of Regulations, Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Part 9 of that title. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. The Los Angeles County Fire Department (LACoFD) provides fire protection services for the unincorporated areas of Los Angeles County and as such, implements and enforces the CFC in the Proposed Project area.

Local Laws, Regulations, and Policies

California Certified Unified Program Agencies (CUPA)

CalEPA oversees California's Unified Program. The program protects Californians from hazardous waste and hazardous materials by ensuring local regulatory agencies consistently apply statewide standards when they issue permits, conduct inspections, and engage in enforcement activities. The Unified Program is a consolidation of multiple environmental and emergency management programs.

The Los Angeles County CUPA is managed by the LACoFD, Health Hazardous Materials Division. The Los Angeles County CUPA has jurisdiction in all unincorporated and incorporated areas including the Proposed Project area.

3.9.2 ENVIRONMENTAL SETTING

The Proposed Project does not expect to generate any reportable quantities of hazardous materials. According to the DTSC mapping tool EnviroStor, there are no active hazardous waste clean-up sites within the 93536-zip code. The closest site is in Rosamond, approximately 26 miles to east of the project.

3.9.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Direct and Indirect Effects, Construction and Operation. The proposed treatment process will remove Arsenic from the MVMWC's drinking water sources. MVMWC will utilize an adsorptive media to sequester arsenic from the water produced by MVMWC's groundwater wells. The media will retain the arsenic until replacement of the media, approximately every 5-7 years. The media will be hauled to a permitted disposal site.

The treatment process removes arsenic by retaining the arsenic on the treatment media. The arsenic would not be removed during backwash or media rinsing events, and would remain within the vessels containing the treatment media. A hazardous waste generator or hazardous materials permit may be required by Los Angeles County Certified Unified Program Agency upon completion of design, determination of arsenic concentrations in the treatment waste, and finalization of the frequency of media renewal and media disposal. A hazardous waste generator and/or hazardous materials permit may not be required for episodic disposals spanning multiple years.

Construction of the Proposed Project would use toxic or hazardous substances typical for such activities (e.g., oil, vehicle fuels, construction equipment, hydraulic fluids, and solvents), which could result in exposure to the public or the environment in the event of a spill or leak. **Mitigation Measure HWQ-1**, discussed in Section 3.10.3, is proposed to minimize potential impacts during construction. With this mitigation measure in place, the project is expected to have **less than significant** direct or indirect effect on hazards and hazardous materials.

The exterior coating of the existing storage tanks will be tested for lead prior to commencing construction, informing MVMWC and the construction contractor of the presence/absence of lead within the coating material, and the resulting disposal requirements.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Direct and Indirect Effects, Construction and Operation. Construction of the Proposed Project would use toxic or hazardous substances typical for such activities (e.g., oil, vehicle fuels, construction equipment, hydraulic fluids, and solvents), which could result in exposure to the public or the environment in the event of a spill or leak. As such, there is the possibility of accidental releases (e.g., spilling of hydraulic fluid or diesel fuel from construction maintenance activities) during construction activities.

Mitigation Measure HWQ-1, discussed in Section 3.10.3, is proposed to minimize potential impacts. With this mitigation measure in place, the Proposed Project is expected to have **less than significant** direct or indirect effect on hazards and hazardous materials.

The treatment facility's media, utilized to sequester Arsenic from the water produced by MVMWC's wells, will be contained within code-stamped pressure vessels, located within a proposed building.

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

Direct and Indirect Effects, Construction and Operation. There is no existing or proposed school within one quarter mile of the Proposed Project. Neenach Elementary School, owned and maintained by the Westside Union School District, is approximately one mile east of the Proposed Project but has been closed since 2002. **No impact.**

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Direct and Indirect Effects, Construction and Operation. The Proposed Project is not 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 not create a significant hazard to the public or the environment. **No impact** related to hazards and hazardous materials.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Direct and Indirect Effects, Construction and Operation. No public airports are located in the vicinity of the Proposed Project. The closest airport is located approximately 5.7 miles west/southwest of the Proposed Project (Quail Lake Sky Park Airport, FAA Identifier CL46). The Antelope Valley Intermediate Field, now abandoned, was located approximately 1.5 miles west of the Proposed Project area. **No impact** would occur relative to this issue.

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

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **No impact** would occur relative to this issue.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Direct and Indirect Effects, Construction and Operation. The Proposed Project is located within a Moderate Fire Hazard Severity Zone (FHZS). The proposed improvements will improve fire response and attenuate risk to critical facilities. The Proposed Project will increase water storage volume to include fire suppression volume (60,000 gallons, or 1,000 gallons per minute for one hour, per Los Angeles County Code of Ordinances Title 32-Fire Code Chapter 83-Consolidated Fire Protection District of Los Angeles Fire Code B105.1). The proposed storage tanks will be constructed by bolting steel panels together, and not by welding steel panels. The Proposed Project also includes booster pumping improvements and an emergency generator, which will increase fire protection capacity and reliability. The booster pumps, currently exposed to the elements, will be enclosed in a building. The potential exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires is **less than significant**.

3.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY. Would the Proposed Project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site?; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.10.1 REGULATORY SETTING

Federal Laws, Regulations, and Policies

Clean Water Act (CWA)

The CWA is the primary federal law that protects the quality of the nation’s surface waters, including lakes, rivers, and coastal wetlands. The key sections pertaining to water quality regulation for the Proposed Project are CWA § 303 and § 402.

Section 303(d) - Listing of Impaired Water Bodies

Under CWA § 303(d), states are required to identify “impaired water bodies” (those not meeting established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for development of control plans to improve water quality. USEPA then approves the state’s recommended list of impaired waters or adds and/or removes water bodies.

Section 402 - National Pollutant Discharge Elimination System (NPDES) Permits for Stormwater Discharge

CWA § 402 regulates construction-related stormwater discharges to surface waters through the NPDES. The NPDES is officially administered by USEPA. In California, USEPA has delegated its authority to the SWRCB; the SWRCB in turn delegates implementation responsibility to the nine Regional Water Quality Control Boards (RWQCBs), as discussed with regard to the Porter-Cologne Water Quality Control Act below.

Under the Statewide General Construction Activity permit, discharges of stormwater from construction sites with a disturbed area of one or more acres are required to either obtain individual NPDES permits for stormwater discharges or to be covered by the General Permit. Coverage by the General Permit is accomplished by completing and filing a Notice of Intent with the SWRCB and developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). Each applicant under the General Construction Activity Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must list BMPs implemented on the construction site to protect stormwater runoff and must contain a visual monitoring program; a chemical monitoring program for “non-visible” pollutants to be implemented if there is a failure of BMPs; and a monitoring plan if the site discharges directly to a water body listed on the State’s 303(d) list of impaired waters.

Municipal Separate Stormwater Sewer System (MS4) Permitting Program

The SWRCB regulates stormwater discharges from MS4s through its Municipal Storm Water Permitting Program. Permits are issued under two phases depending on the size of the urbanized area/municipality. Phase I MS4 permits are issued for medium (population between 100,000 and 250,000 people) and large (population of 250,000 people or more) municipalities and are often issued to a group of co-permittees within a metropolitan area. Phase I permits have been issued since 1990. In 2003, the SWRCB issued the first statewide Phase II MS4 General Permit, which

applies to smaller municipalities, generally, with a population less than 100,000 but greater than 50,000, or as specified by SWRCB.

Section 404, 401 – Dredge and fill permits

Section 404 of the Clean Water Act requires authorization from the Secretary of the Army, acting through the Corps of Engineers, for the discharge of dredged or fill material into all waters of the United States, including wetlands.

Discharges of fill material generally include, without limitation: placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; dams and dikes; artificial islands; property protection or reclamation devices such as riprap, groins, seawalls, breakwaters, and revetments; beach nourishment; levees; fill for intake and outfall pipes and subaqueous utility lines; fill associated with the creation of ponds; and any other work involving the discharge of fill or dredged material.

A Corps permit is required whether the work is permanent or temporary. Examples of temporary discharges include dewatering of dredged material prior to final disposal, and temporary fills for access roadways, cofferdams, storage, and work areas.

Under Section 401 of the CWA, a federal agency may not issue a permit or license to conduct any activity that may result in any discharge into waters of the United States unless a Section 401 water quality certification is issued, or certification is waived. States and authorized tribes where the discharge would originate are generally responsible for issuing water quality certifications. In cases where a state or tribe does not have authority, EPA is responsible for issuing certification.

Federal Emergency Management Agency (FEMA)

FEMA produces flood insurance rate maps that identify special flood hazard areas. The maps further classify these areas into “zones” that broadly characterize the potential risk of an area being inundated by a 100-year or 500-year flood in any given year.

Wild and Scenic Rivers Act

In 1968, Congress created the National Wild and Scenic Rivers System Act to designate and preserve certain rivers in a free-flowing condition for the enjoyment of present and future generations. Designated wild and scenic rivers have outstanding natural, cultural, and recreational values and are administered by a federal or state agency. Rivers are classified as wild, scenic, or recreational with the wild classification indicating river areas that are not impounded, only accessible by trail, and have unpolluted waters and essentially primitive watersheds or shorelines. The scenic and recreational classifications indicate rivers with perhaps more development or accessibility and/or past impoundment or diversion.

State Laws, Regulations, and Policies

Regional Water Management Planning Act (SB 1672)

Integrated Regional Water Management (IRWM) is a collaborative effort to identify and implement water management solutions on a regional scale that increase regional self-reliance, reduce conflict, and manage water to concurrently achieve social, environmental, and economic objectives. The Antelope Valley area developed an IRWM in 2016, under the Regional Water Management Planning Act (SB 1672).

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (known as the Porter-Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the state into nine regions, each overseen by an RWQCB. The SWRCB is the primary state agency responsible for protecting the quality of the state's surface water and groundwater supplies; however, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA §§ 401, 402, and 303(d). In general, the SWRCB manages water rights and regulates statewide water quality, whereas the RWQCBs focus on water quality within their respective regions.

The Porter-Cologne Act requires the RWQCBs to develop water quality control plans (also known as Basin Plans) that designate beneficial uses of California's major surface water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a water body - i.e., the reasons why the water body is considered valuable. Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin Plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter-Cologne Act, Basin Plans must be updated every 3 years.

Groundwater Ambient Monitoring and Assessment

The Groundwater Ambient Monitoring and Assessment (GAMA) Program is California's comprehensive groundwater quality monitoring program and was created by the SWRCB in 2000. It was later expanded by Assembly Bill 599 - the Groundwater Quality Monitoring Act of 2001.

The main goals of GAMA are to:

- Improve statewide comprehensive groundwater monitoring, and
- Increase the availability to the general public of groundwater quality and contamination information.

Local Laws, Regulations, and Policies

Drinking Water Program of Los Angeles County Department of Environmental Health (DEH)

Under the provisions of Section 116330 of the California Health and Safety Code, the Drinking Water Program of DEH permits, inspects, and monitors small public water systems with less than 200 service connections, wells, and exploratory holes in Los Angeles County. DEH is delegated with authority to review and approve production and non-production water wells in Los Angeles County.

Any person who wishes to secure a production water well permit must first submit an application to DEH. A well can only be drilled by a California contractor who holds a valid Class A General Engineering Contractor's license, C-5. Production wells must be constructed according to standards listed in Los Angeles County Code Title 11, Health and Safety, Section 11.380.

County of Los Angeles Grading Code

Requirements for erosion control and water quality for grading operations are set forth in Title 26 of the County Code. NPDES compliance is required for all projects within the Proposed Project area. For small residential construction sites with a disturbed, graded area less than one acre, stormwater pollution control measures/best management practices (BMP's) must be incorporated on the site during construction.

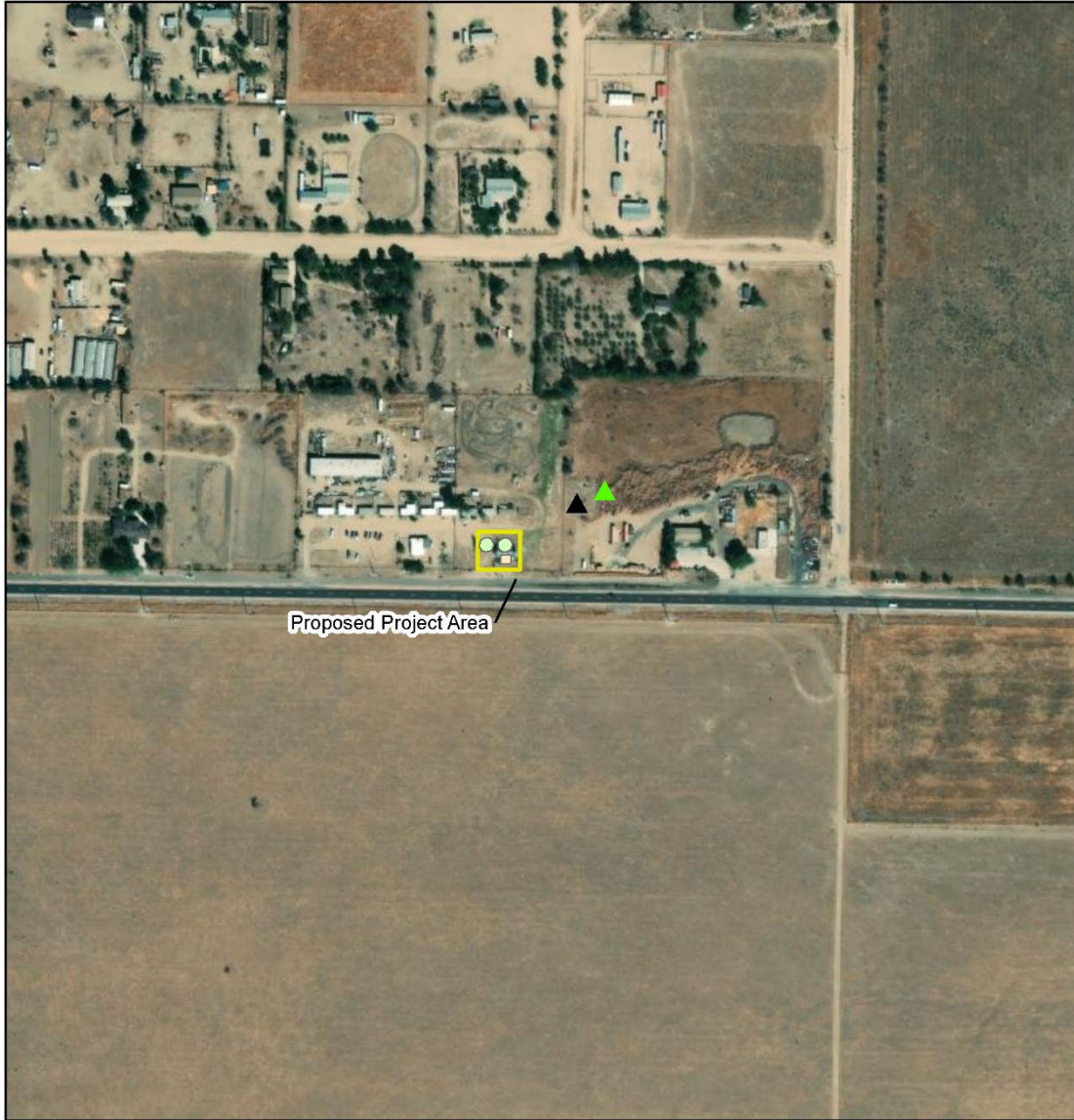
For all new non-residential projects consisting of a disturbed, graded area less than one acre, an Erosion and Sediment Control Plan (ESCP), which should include specific best management practices to minimize the transport of sediment and protect public and private property from the effects of erosion, flooding, or the deposition of mud, debris, or construction-related pollutants, is required prior to issuance of a grading permit by the County.

In addition to an ESCP, for construction sites with a disturbed, graded area of one acre or greater, a State Storm Water Pollution Prevention Plan (State SWPPP) must be prepared, and a Notice of Intent (NOI) filed with the SWRCB. Filing of a NOI and attainment of a Waste Discharge Identification number from the State is necessary for projects of this magnitude prior to issuance of a grading permit by the County. State SWPPP's prepared in accordance with the Construction General Permit can be accepted as ESCP's.

All active grading projects with grading proposed within the rainy season, October 15 to April 15 of each calendar year, must update the ESCP on file with the County annually and have all BMP's installed prior to the beginning of the rainy season or as determined by the County's building official.

3.10.2 ENVIRONMENTAL SETTING

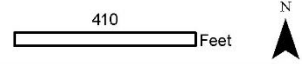
The Proposed Project area has no delineated wetlands within the area of impact. (Figure 2). A flood map search (FEMA 2012) for Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel ID numbers confirms the area has not been mapped by FEMA for flood zone hazards and is therefore classified as an "Area of Undetermined Flood Hazard." Los Angeles County Flood Control District also has no flood zone hazard mapping for this area (Figure 3). The Proposed Project area is not situated over a U.S. Environmental Protection Agency sole source aquifer (USEPA 2016).



Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
 U.S. Fish & Wildlife Service National Wetlands Inventory

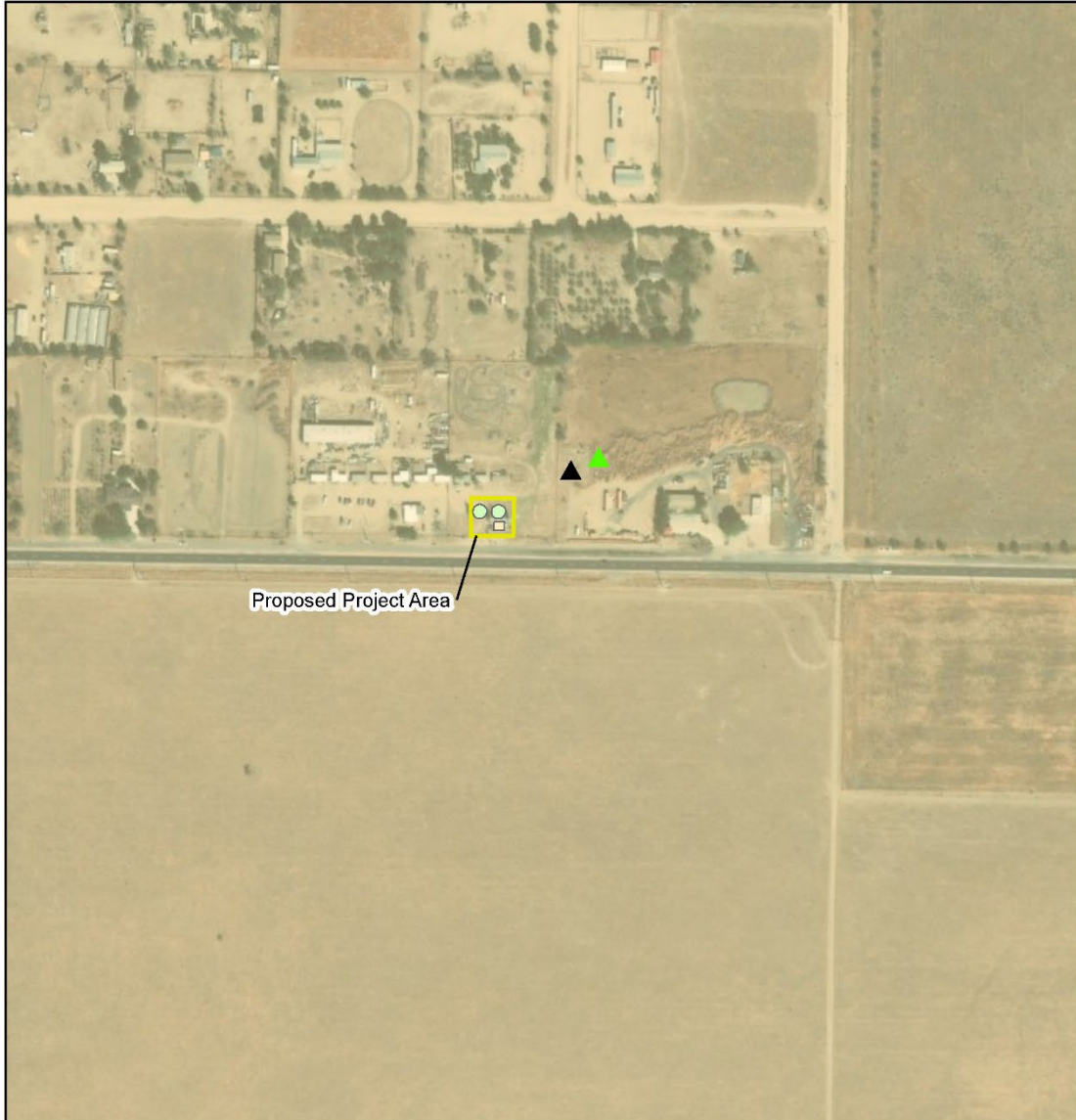
LEGEND

- ▲ Proposed Well Proposed Treatment Facility Project Area
- ▲ Existing Well Proposed Storage Tank



<p style="margin: 0;">1 W DEER VALLEY ROAD BUILDING 2, SUITE 305 PHOENIX, ARIZONA 85027 Tel: 623.374.6637 Fax: 623.738.3690</p>	WETLANDS MAP INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION	FOR: <p style="text-align: center; margin: 0;">Mettler Valley Mutual Water Company</p>					
	<p style="font-size: 1.2em; margin: 0;">FIGURE 2</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">DES: RDD</td> <td style="width: 33%;">DR: RDD</td> <td style="width: 33%;">CHK: JO</td> </tr> <tr> <td colspan="3" style="text-align: center;">SHT 1 OF 1</td> </tr> </table>	DES: RDD	DR: RDD	CHK: JO	SHT 1 OF 1	
DES: RDD	DR: RDD	CHK: JO					
SHT 1 OF 1							
PROJECT NO. 227520-0000712.01 DATE: 3/27/2024							

Document Path: V:\2023 Projects\226817-0000218.01_Mettler_Valley_MWC_ISMND\2.0_Technical Information\2.8_Deliverables to Client\Figures\MXDS\Figure 2 - Wetlands Map.mxd

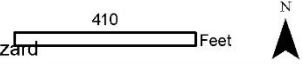


Proposed Project Area

Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
 FEMA National Flood Hazard Layer (NFHL)

LEGEND

- ▲ Proposed Well
- Proposed Treatment Facility
- Project Area
- ▲ Existing Well
- Proposed Storage Tank
- Area of Minimal Flood Hazard



<p>1 W DEER VALLEY ROAD BUILDING 2, SUITE 305 PHOENIX, ARIZONA 85027 Tel: 623.374.6637 Fax: 623.738.3690</p>	<p>FLOODPLAIN MAP INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION</p>	<p>FOR:</p> <p style="text-align: center;">Mettler Valley Mutual Water Company</p>
	<p>FIGURE 3</p>	<p>DES: RDD DR: RDD CHK: JO</p>
<p>PROJECT NO. 227520-0000712.01 DATE: 3/27/2024</p>		<p>SHT 1 OF 1</p>

Document Path: V:\2023 Projects\226817-0000218.01_Mettler_Valley_MWC_ISMND\2.0_Technical Information\2.8_Deliverables to Client\Figures\IMXD\Figure 3 - Floodplain Map.mxd

3.10.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Direct and Indirect Effects, Construction and Operation. The Proposed Project principally aims to address concentrations of arsenic in drinking water wells that exceed the maximum contaminant level (MCL) set by the State of California and the federal government. Los Angeles County has repeatedly noted in Sanitary Surveys the need to reduce the concentration of arsenic to less than the MCL. MVMWC has received an Administrative Order on Consent (Docket No. PWS-AOC-2019-6002) from the United States Environmental Protection Agency (EPA) for repeated arsenic concentrations exceeding the MCL. Advancing the Proposed Project will address the deficiencies related to Arsenic, and other deficiencies not related to water quality, and thus will also address compliance mandates from Los Angeles County and EPA.

The treatment process for the removal of arsenic from MVMWC's groundwater supply sources will include an adsorptive media. Approximately every 5-7 years, the media will become fully utilized, and will need to be replaced. The utilized media will be hauled off site and disposed of at a permitted disposal site.

Construction activities may result in a potential impact of water quality standards or waste discharge requirements through the erosion of soils, runoff, and the build-up of silt and debris in runoff areas. **Mitigation Measure HWQ-1** is proposed to minimize potential impacts by requiring the preparation of a SWPPP which shall include BMPs to achieve maximum pollutant removal, soil stabilization, erosion control practices, and sediment control practices. With this mitigation measure in place, the Proposed Project is expected to have a **less than significant impact** on surface or groundwater quality.

Mitigation Measure HWQ-1: MVMWC will assess the receiving water vulnerability and develop a Stormwater Pollution Prevention Plan (SWPPP) that complies with the requirements of the NPDES General Construction Permit (Order 2009-0009-DWQ as amended by 2010 0014-DWQ and 2012-006-DWQ) based on the project-specific risk level. The SWPPP shall identify specific actions and best management practices (BMPs) relating to the prevention of stormwater pollution from project-related construction sources by identifying a practical sequence for site restoration, BMP implementation, contingency measures, responsible parties, and agency contacts. The SWPPP shall reflect localized surface hydrological conditions, local jurisdictional requirements and shall be reviewed and approved by MVMWC prior to commencement of work.

The SWPPP shall be prepared by a Qualified SWPPP Developer with BMPs selected to achieve maximum pollutant removal and that represent the best available technology that is economically achievable. BMPs for soil stabilization and erosion control practices and sediment control practices will also be required. Performance and effectiveness of these BMPs shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination, (e.g., inadvertent petroleum release) is required to determine adequacy of the measure.

The SWPPP shall also address other project-specific water quality threats, as required for individual improvements including but not limited to, temporary dewatering, hydrostatic testing, well drilling and development, and other resource permits as required under the Federal Clean Water Act, County Grading Ordinance, and State Fish and Game Code, as applicable. Construction and post-construction BMPs will be designed to avoid the creation of standing water and potential mosquito breeding habitat.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not decrease groundwater supplies or interfere substantially with groundwater recharge compared to existing conditions. The Proposed Project aims to improve drinking water quality supplied to MVMWC’s customers, and to address County and EPA compliance documents. The Proposed Project will result in a limited increase in impermeable surfaces due to the construction of the expanded footprint of the replacement water storage tanks and the new treatment facility but will not substantially alter the groundwater recharge in the area. The total volume of water extracted from groundwater will not change as a result of the Proposed Project. The Proposed Project would obtain its water from the same source (Well No. 1) and from a new, redundant water source (Well No. TBD). Groundwater extraction patterns will not change as a result of the Proposed Project. The new well will be permitted by Los Angeles County Department of Public Health and by AVEK. A **less than significant impact** would occur relative to this issue.

- c) 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 on- or off-site;

Direct Effects, Construction. No streams or rivers would be altered by the Proposed Project. Construction activities may result in a potential impact through the erosion of soils and the build-up of silt and debris in runoff areas, however **Mitigation Measure HWQ-1** includes the development of a SWPPP, which will include mandated soil erosion control measures to prevent significant impacts related to erosion caused by runoff during construction. With implementation of Mitigation Measure HWQ-1, this impact will be **less than significant**.

Direct Effects, Operation, and Indirect Effects. The Proposed Project will result in a limited increase in impermeable surfaces due to the construction of the expanded footprint of the replacement water storage tanks and the new treatment facility, however this will not substantially alter the existing drainage pattern of the area. The Proposed Project does not include operational activities that would result in substantial erosion or siltation. Following construction activity surfaces will be restored to existing conditions. There will be **no impact**.

- ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site;

Direct Effects, Construction. Construction activities may result in a potential impact by increasing the rate or amount of surface runoff, however during construction, **Mitigation Measure HWQ-1** would limit surface water runoff to **less than significant levels**.

Direct Effects, Operation, and Indirect Effects. The Proposed Project will result in a limited increase in impermeable surfaces due to the construction of the expanded footprint of the replacement water storage tanks and the new treatment facility. Following restoration of the surface pipelines will be located underground and will not affect surface runoff. The Proposed Project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site. This impact will be **less than significant**.

- 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;

Direct Effects, Construction. Construction of the Proposed Project would generate minor amounts of wastewater and may temporarily alter the existing drainage pattern of the area; however, **Mitigation Measure HWQ-1** would limit wastewater and stormwater impacts to **less than significant levels**.

Direct Effects, Operation and Indirect Effects. Operation of the Proposed Project will not 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. The treatment process for the removal of arsenic from MVMWC's groundwater supply sources will include an adsorptive media. Approximately every 5-7 years, the media will become fully utilized, and will need to be replaced. The utilized media will be hauled off site and disposed of at a permitted disposal site. There will be **no impact**.

- iv. or impede or redirect flood flows?

Direct Effects, Construction. The existing tank and well site is located on flat land, away from natural drainages. A minor, artificial drainage was formed during the construction of State Route 138, located immediately to the south, which will not be impacted by the Proposed Project. Construction of the Proposed Project will not significantly alter the existing drainage pattern of the Proposed Project area in a manner which would impede or redirect flood flows. Impacts related to flood flows during construction would be **less than significant**.

Direct Effects, Operation and Indirect Effects. A flood map search (FEMA 2008) for Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel ID number 06037C0075F shows the Proposed Project area is within either an Area of Minimal Flood Hazard or 0.2% Annual Chance Flood Hazard. The footprint of impervious surface at the Proposed Project site will increase slightly due to the placement of pumping systems within a building, and the expanded footprint of the storage tanks. Impacts will be **less than significant**.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Proposed Project inundation?

Direct and Indirect Effects, Construction and Operation. A flood map search (FEMA 2008) for Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel ID number 06037C0075F shows the Proposed Project area is within either an Area of Minimal Flood Hazard or

0.2% Annual Chance Flood Hazard. The Proposed Project is well inland and no threat for tsunami is present. There are no nearby bodies of water that could produce seiche. The closest upgradient body of water is Quail Lake, operated as a reservoir of the California Aqueduct and is approximately 5.7 miles west of the Proposed Project. No impact would occur relative to this issue.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Direct and Indirect Effects, Construction and Operation. The jurisdiction of the California Regional Water Quality Control Board, Lahontan Region covers the Proposed Project area, which is in the South Lahontan Basin. The Proposed Project would not conflict with or obstruct implementation of the Water Quality Control Plan for the Lahontan Region (RWQCB 2021). The Proposed Project Area is located in groundwater basin 6-044, Antelope Valley, which is approximately 10% non-adjudicated and does not have a groundwater sustainability plan (GSP). AVEK is the Watermaster for the Antelope Valley Basin, and approved MVMWC as a groundwater producer in early 2021. MVMWC will submit a well drilling application to AVEK and to Los Angeles County Department of Public Health prior to commencing construction. At this level of adjudication, the priority for development of a GSP is very low. (CADWR 2021). Nevertheless, there are no direct or indirect effects of the Proposed Project that would conflict with a potential water quality control plan, GSP, or sustainable groundwater management plan. **No impact** would occur relative to this issue.

3.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING. Would the Proposed Project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.11.1 REGULATORY SETTING

Federal Laws, Regulations, and Policies

Federal Land Policy and Management Act of 1976

Public land managed by the US Department of the Interior, Bureau of Land Management (BLM) is regulated under the Federal Land Policy and Management Act of 1976 (FLPMA). Under this regulation, the BLM develops Resource Management Plans (RMPs) that direct BLM District Offices in the sustainable, best use of the public land. For the Proposed Project area, nearby public land falls

under the jurisdiction of the BLM California Deserts District Office and the Desert Renewable Energy Conservation Plan RMP, last amended in 2016 (BLM 2022).

Local Laws, Regulations, and Policies

Los Angeles County General Plan

The Los Angeles County 2035 General Plan (LACDRP 2015) contains goals and policies to administer the land use of the County, including the zoning of land for such purposes.

3.11.2 ENVIRONMENTAL SETTING

The Proposed Project does not use public land and is approximately 4.5 miles southwest of the closest BLM administered tract (BLM 2022). The proposed use is compatible with Los Angeles County 2035 General Plan (LACDRP 2015).

3.11.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Physically divide an established community?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not physically divide an established community. The Proposed Project area is a lightly populated, unincorporated area of Los Angeles County. Construction would cause minimal disruption and no impact after completion. The location and footprint of existing and proposed facilities are comparable. **No impact** would occur relative to this issue.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Direct and Indirect Effects, Construction and Operation. The Proposed Project location is in unincorporated Los Angeles County and is zoned by the County as Rural Commercial (C-RU). The Project is consistent with the Los Angeles County General Plan (LACRPD 2021). The 2015 Antelope Valley Area Plan notes that “development [be] consistent with existing community character and allows for light agriculture, equestrian, and animal-keeping uses.” The Proposed Project does not impact these community characteristics, as the facilities will be located on the same locations and have similar footprints and function to existing facilities.

MVMWC submitted a pre-application for a Tentative Parcel Map to the Los Angeles County Department of Regional Planning for the subdivision of APN 3275-012-018 (Case No. RPPL2024003263), the western portion of which would be used for a new well. LACDRP will require a Conditional Use Permit for the proposed well. **Less Than Significant Impact** would occur relative to this issue.

3.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES. Would the Proposed Project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.12.1 REGULATORY SETTING

State Laws, Regulations, and Policies

California Surface Mining and Reclamation Act

The federal Surface Mining and Reclamation Control Act of 1975 (SMACRA) requires that the State Mining and Geology Board identify, map, and classify land throughout California that contain regionally significant mineral resources. Designations of land areas are assigned by the CDC and California Geological Survey (CGS) following analysis of geologic reports and maps, field investigations, and using information about the locations of active sand and gravel mining operations (Miller 1993). Local jurisdictions are required to enact planning procedures to guide mineral conservation and extraction at particular sites, and to incorporate mineral resource management policies into their general plans.

The CGS Survey Mineral Resources Project provides information about California’s nonfuel mineral resources. The Mineral Resources Project classifies lands throughout the State that contain regionally significant mineral resources. Three Mineral Resource areas are located in the Antelope Valley, one in the City of Palmdale and partly in unincorporated Los Angeles County; the other two areas are in unincorporated Los Angeles County east of the City of Palmdale approximately 31 miles east-southeast of the Proposed Project. All are so designated because of active sand and gravel/aggregate mines.

Department of Conservation, Division of Oil, Gas & Geothermal Resources (DOGGR)

The DOGGR oversees the drilling, operation, maintenance, and closing of oil, natural gas, and geothermal wells. The DOGGR is intended to protect the environment, prevent pollution, and ensure public safety.

Local Laws, Regulations, and Policies

Los Angeles County General Plan

To manage mining resources, the County has incorporated mineral resource policies into the Conservation and Natural Resources Element of the Los Angeles County 2035 General Plan (LACDRP 2021) and designated clusters or belts of mineral deposits as Mineral Resource Zones (MRZs). Oil and gas resources have also been identified in the General Plan.

3.12.2 ENVIRONMENTAL SETTING

The Proposed Project area is not located in an MRZ or above a known oil and gas resource (LACDRP 2021).

3.12.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Direct and Indirect Effects, Construction and Operation. According to the Los Angeles County General Plan (LACDRP 2021), the Proposed Project area does not contain any known mineral resources or locally important mineral resource recovery sites. Therefore, the Proposed Project would not 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. **No impact** would occur relative to this issue.

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Direct and Indirect Effects, Construction and Operation. The Proposed Project area is not designated for mineral extraction and is currently not supporting mineral extraction. Therefore, the Proposed Project would not result in the loss of availability of a locally important mineral resource site delineated on the Los Angeles County General Plan (LACDRP 2021). **No impact** would occur relative to this issue.

3.13 NOISE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE. Would the Proposed Project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.13.1 REGULATORY SETTING

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies for construction-related noise and vibration apply to the Proposed Project. However, the Federal Transit Administration (FTA) Guidelines for Construction Vibration in Transit Noise and Vibration Impact Assessment state that for evaluating daytime construction noise impacts in outdoor areas, a noise threshold of 90 dBA L_{eq} should be used for residential areas (FTA 2006).

For construction vibration effects, the FTA guidelines use an annoyance threshold of 80 VdB for infrequent events (fewer than 30 vibration events per day) and a damage threshold of 0.3 inch per second (in/sec) peak particle velocity (PPV) for engineered concrete and masonry structures and 0.12 in/sec PPV for buildings extremely susceptible to vibration damage (FTA 2006).

State Laws, Regulations, and Policies

California requires each local government entity to implement a noise element as part of its general plan. California Administrative Code, Title 4, presents guidelines for evaluating the compatibility of

various land uses as a function of community noise exposure. The state land use compatibility guidelines are listed in Table 7.

Table 4 - State Land Use Compatibility Standards for Community Noise Environment

Land Use Category	Community Noise Exposure L_{dn} or CNEL (db)						
	50	55	60	65	70	75	80
Residential – Low Density Single Family, Duplex, Mobile Homes							
Residential - Multi-Family							
Transient Lodging – Motels, Hotels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arenas, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							
Golf Courses, Riding Stables, Water Recreation, Cemeteries							
Office Buildings, Business Commercial and Professional							
Industrial, Manufacturing, Utilities, Agriculture							
Normally Acceptable	Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.						
Conditionally Acceptable	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.						
Normally Unacceptable	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.						

Land Use Category	Community Noise Exposure L_{dn} or CNEL (db)						
	50	55	60	65	70	75	80
Clearly Unacceptable	New construction or development generally should not be undertaken.						

Local Laws, Regulations and Policies

Los Angeles County Code

Section 12.08 of the Los Angeles County Code regulates permissible noise levels in the unincorporated area. There are scattered residences and commercial structures in the vicinity of the Proposed Project and the standard for construction noise would assume adjacent residential/commercial use. The County Code states:

12.08.440 Construction noise.

- A. Operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, or demolition work between weekday hours of 7:00 p.m. and 7:00 a.m., or at any time on Sundays or holidays, such that the sound therefrom creates a noise disturbance across a residential or commercial real-property line, except for emergency work of public service utilities or by variance issued by the health officer is prohibited.
- B. Noise Restrictions at Affected Structures. The contractor shall conduct construction activities in such a manner that the maximum noise levels at the affected buildings will not exceed those listed in the following schedule:
 - 1. At Residential Structures.
 - a. Mobile Equipment. Maximum noise levels for nonscheduled, intermittent, short-term operation (less than 10 days) of mobile equipment:

	Single family Residential	Multi family Residential	Semi residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	75dBA	80dBA	85dBA
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	60dBA	64dBA	70dBA

- b. Stationary Equipment. Maximum noise level for repetitively scheduled and relatively long-term operation (periods of 10 days or more) of stationary equipment:

	Single family Residential	Multi family Residential	Semi residential/ Commercial
Daily, except Sundays and legal holidays, 7:00 a.m. to 8:00 p.m.	60dBA	65dBA	70dBA

	Single family Residential	Multi family Residential	Semi residential/ Commercial
Daily, 8:00 p.m. to 7:00 a.m. and all day Sunday and legal holidays	50dBA	55dBA	60dBA

2. At Business Structures.

- a. Mobile equipment. Maximum noise levels for nonscheduled, intermittent, short-term operation of mobile equipment:

Daily, including Sunday and legal holidays, all hours: maximum of 85dBA.

- C. All mobile or stationary internal-combustion-engine powered equipment or machinery shall be equipped with suitable exhaust and air-intake silencers in proper working order.
- D. In case of a conflict between this chapter and any other ordinance regulating construction activities, provisions of any specific ordinance regulating construction activities shall control.

(Ord. 11778 § 2 (Art. 5 § 501(c)), 1978: Ord. 11778 § 2 (Art. 5 § 501(c)), 1978.)

3.13.2 ENVIRONMENTAL SETTING

Noise levels generated by a point source decrease at a rate of approximately 6 dBA per doubling of distance from the source. Therefore, if a particular point source generates average noise levels of 89 dBA at 50 feet, the equivalent sound level (L_{eq}) would be 83 dBA at 100 feet, 77 dBA at 200 feet, 71 dBA at 400 feet, and so on. This calculated reduction in noise level is based on the loss of energy resulting from the geometric spreading of the sound wave as it leaves the source and travels outward. For example, to characterize noise levels associated with construction activities, it is important to understand the highest level of noise generated by the construction equipment. The Federal Highway Administration (FHWA) Roadway Construction Noise Model produced estimates of the L_{max} of typical construction equipment and provides the noise levels at distances of 50 and 200 feet (FHWA 2006).

Table 8 - Typical Noise Level of Construction Equipment

Equipment Type	Typical Sound Level at 50 ft (dBA)
Backhoe	80
Bulldozer	85
Compactor	82
Compressor	81
Concrete Mixer	85
Concrete Pump	82
Crane, Derrick	88
Crane, Mobile	83
Loader	85
Pavement Breaker	88
Paver	89
Pile Driver, Impact	101
Pump	76

Equipment Type	Typical Sound Level at 50 ft (dBA)
Roller	74
Truck	88

3.13.3 DISCUSSION OF IMPACTS

Would the Proposed Project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Direct Effects, Construction. The closest residence is approximately 85 feet north of the Proposed Project. Noise impacts associated with construction of the Proposed Project would be only temporary in nature. Construction would involve drilling new well, destroying Well No. 2, replace storage tanks, construct arsenic treatment, underground electrical lines, trenching, pipe installation, backfilling, and repaving activities. The loudest construction activity associated with the Proposed Project would be digging trenches using a backhoe. Caltrans standard specifications provides information that can be considered in determining whether construction would result in adverse noise impacts. The specification states:

- Do not exceed 86 dBA at 50 feet from the job site activities from 9 p.m. to 6 a.m.
- Equip an internal combustion engine with the manufacturer-recommended muffler. Do not operate an internal combustion engine on the job site without the appropriate muffler. (Caltrans 2020)

This is also consistent with the Los Angeles County General Plan (Los Angeles County Department of Regional Planning 2021).

Mitigation Measure NV-1 shall be implemented, which would reduce any impact due to noise from construction to **less than significant**.

Direct Effects, Operation. There would be no permanent increase of ambient noise generated by the Proposed Project. The existing aboveground turbine pump would be replaced by a downhole submersible pump, considerably reducing noise from the site. New VFD-driven booster pumps would be enclosed within a new block wall building (Appendix A). The treatment facility is hydraulically operated, and thus, does not generate noticeable noise levels. The treatment facility will also be located within the proposed block wall building.

The emergency power generator would only be operated during extended power outages and scheduled maintenance and testing and will be self-enclosed (Appendix A). Noise reduction up to 10dB occurs when a generator is inside enclosures. **No impact.**

Indirect Effects. No indirect impact is expected.

Mitigation Measure NV-1: The Construction Contractor shall demonstrate to the satisfaction of the MVMWC Project Manager that the following noise control techniques are implemented during the clearing, demolition, grading, and construction phases of the project.

- Heavy equipment repair and contractor staging shall be conducted at sites as far as practical from nearby residences. Construction equipment, including vehicles, generators, and compressors shall be maintained in proper operating condition and shall be equipped with manufacturers' standard noise control devices or better (e.g., mufflers, acoustical lagging, and/or engine enclosures).
- Temporary sound barriers (or curtains), stockpiles of excavated materials, or other effective shielding or enclosure techniques shall be used where construction noise would exceed 90 dBA within less than 50 feet from a noise sensitive receptor.
- Construction work, including on-site equipment maintenance and repair, shall be limited to the hours specified in the noise ordinance of the affected jurisdiction(s).
- Electrical power shall be supplied from commercial power supply, wherever feasible, in order to avoid or minimize the use of engine-driven generators.
- Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
- Unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes) shall be prohibited.
- Operating equipment shall be designed to comply with all applicable local, state, and federal noise regulations.
- Construction site and access road speed limits shall be established and enforced during the construction period.
- If lighted traffic control devices are to be located within 500 feet of residences, the devices shall be powered by batteries, solar power, or similar sources, and not by an internal combustion engine.
- The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- No project-related public address or music system shall be audible at any adjacent sensitive receptor.

With implementation of Mitigation Measure NV-1 outlined above, less than significant noise impacts would occur from the construction and operation of the Proposed Project.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Direct Effects, Construction. During construction some amount of temporary groundborne vibration would occur, primarily during excavation. Implementation of **Mitigation Measure NV-1** would ensure there would be **a less than significant direct impact** due to groundborne vibration or groundborne noise from the Proposed Project.

Direct Effects, Operation. There would be no permanent increase of excessive groundborne vibration or groundborne noise levels generated by the Proposed Project. **No impact.**

Indirect Effects. **No indirect impact** expected.

- c) For a Proposed 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?

The Proposed Project is not located within the vicinity of a private airstrip or an airport land use plan. The nearest airstrip is 5.7 miles west at Quail Lake. **No impact** would occur relative to this issue.

3.14 POPULATION & HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
POPULATION & HOUSING. Would the Proposed Project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.14.1 REGULATORY SETTING

No federal or state regulations impact this resource.

Local Laws, Regulations, and Policies

The Los Angeles County 2035 General Plan (LACDRP 2021) is broken down into eleven planning areas and commits the County to goals that coordinate an equitable sharing of public and private costs associated with providing appropriate community services and infrastructure to meet growth needs.

3.14.2 ENVIRONMENTAL SETTING

The Proposed Project is part of the Antelope Valley Planning Area and is located approximately 60 miles north of downtown Los Angeles. The unincorporated portion of the Antelope Valley Planning Area covers 1,800 square miles, or 44 percent of the 4,083 square miles in the County. The unincorporated Antelope Valley surrounds the City of Palmdale and City of Lancaster, and borders San Bernardino County to the east, Ventura County to the west, and Kern County to the north.

Housing in the unincorporated area of the Antelope Valley Planning area includes,

Table 9 – Population and Housing

	Planning Area	Unincorporated Area	Percentage Unincorporated
Population	382,868	73,488	19%
Housing Units	125,317	26,939	21%
Household Size (Average)	3.28	3.05	n/a

Source: Los Angeles County 2035 General Plan (LACDRP 2021)

The demographic composition of the Antelope Valley Planning area is,

Table 10 - Demographics

Race	Unincorporated Area Population	Percentage
White	51,555	70%
Black or African American	4,505	6%
American Indian and Alaska Native	887	1%
Asian	1,475	2%
Native Hawaiian and Other Pacific Islander	132	0%
Some Other Race	11,692	16%
Two or More Races	3,242	4%

Source: Los Angeles County 2035 General Plan (LACDRP 2021)

3.14.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Induce substantial unplanned 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)?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not directly induce substantial population growth because it does not involve construction of new residential buildings and businesses, expand roads, or other infrastructure into areas that are not designated for development in the Los Angeles County General Plan (LACDRP 2021). The Proposed Project may indirectly incentivize limited population growth as the local public water supply would no longer be out of compliance with regard to arsenic, and fire suppression and water supply reliability systems would be enhanced. **No impact** would occur relative to this issue.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Direct and Indirect Effects, Construction and operation. The Proposed Project involves construction of a new well, water treatment facility, and water storage tanks, well site and electrical improvements, and destruction of an existing, unpermitted well. These facilities would generally occupy the same parcels (APN 3275-012-015 and adjacent parcels), albeit with a slightly larger footprint within the existing fence. Therefore, it would not displace any existing people or housing that would necessitate the construction of replacement housing elsewhere. **No impact** would occur relative to this issue.

Cumulative Impacts. In 2019, Centennial, a master planned community, was approved. The master planned community will be constructed over the next 20 years within the private land of Tejon Ranch. The location of the private land is located less than one mile away from the Proposed Project, with the private development set to expand over 10 million square feet. The timeline for the project is currently unknown (Tejon Ranch 2022). The Centennial project **may pose** cumulative impacts but is unknown at this time. However, no other reasonably foreseeable future actions were found (LACDRP 2015, Caltrans 2022) that are expected to provide cumulative impacts to population growth and or displacement of residents for the Proposed Project.

3.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES. Would the Proposed Project:				
a) Result in substantial adverse impacts associated with the provision or need for new or physically altered public services, the construction of which could cause significant physical environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.15.1 REGULATORY SETTING

No federal or state regulations impact this resource.

Local Laws, Regulations, and Policies

The Los Angeles County 2035 General Plan (LACDRP 2021) assures that public services are available to all County residents.

3.15.2 ENVIRONMENTAL SETTING

The Proposed Project is part of the Antelope Valley Planning Area and is located approximately 60 miles north of downtown Los Angeles. The unincorporated portion of the Antelope Valley Planning Area covers 1,800 square miles, or 44 percent of the 4,083 square miles in the County. The unincorporated Antelope Valley surrounds the City of Palmdale and City of Lancaster, and borders San Bernardino County to the east, Ventura County to the west, and Kern County to the north. The Proposed Project is located in a rural area served by County and regional responders.

Los Angeles County Fire Department (LACFD)

The LACFD maintains Station 112 at 8812 Ave E-8, in Lancaster, approximately 20 miles east of the Proposed Project.

Los Angeles County Sheriff's Department (LACSD)

The closest LACSD station is 32 miles east of the Proposed Project at 501 W Lancaster Blvd in Lancaster. The County also has a detention facility at 45100 60th St W in Lancaster.

Westside Union School District and Antelope Valley Union High School District

The Proposed Project is served by the Westside Union School District for elementary education and students attend schools in Quartz Hill, approximately 30 miles east-south of the Proposed Project. High school students are enrolled in the Antelope Valley Union High School District.

Neenach Elementary School, owned and maintained by the Westside Union School District, is approximately one mile east of the Proposed Project but has been closed since 2002.

California State Parks

The Proposed Project is located approximately 8.2 miles northwest of Arthur B. Ripley Desert Woodland State Park and 15 miles in the same direction from Antelope Valley California Poppy Reserve State Natural Reserve.

Los Angeles County Parks and Recreation Department (LA County Parks)

There are no county or regional parks in the vicinity of the Proposed Project; however, Neenach Habitat Preserve, located 12 miles to the east, is a Los Angeles County-maintained resource.

3.15.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Result in substantial adverse impacts associated with the provision or need for new or physically altered public services, the construction of which could cause significant physical environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services?

Direct and Indirect Effects, Construction and Operation. The Proposed Project does not involve development that would generate new population and that would cause an increase in demand for public services and facilities, including fire and police protection, schools, parks, or other public facilities. The fire suppression capabilities and reliability of the system will increase as a result of the Proposed Project. **No impact** would occur relative to this issue.

Cumulative Impacts. No reasonably foreseeable future actions were found (LACDRP 2015, Caltrans 2022) that are expected to provide cumulative impacts to the resource.

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION.				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.16.1 REGULATORY SETTING

No federal or state regulations impact this resource.

Local Laws, Regulations, and Policies

The Los Angeles County 2035 General Plan (LACDRP 2021) includes a Recreational Element that develops parks and recreational facilities county-wide.

3.16.2 ENVIRONMENTAL SETTING

There are no neighborhood and regional parks or other recreational facilities near the Proposed Project. Neenach Habitat Preserve, located 12 miles to the east, is the closest recreational facility.

3.16.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration would occur or be accelerated; or
- b) Include new recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not involve development that would generate an increase in population and would therefore not result in an increase in use of existing neighborhood and regional parks or other recreational facilities. The Proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities. The Proposed Project will have **no impact** related to recreation.

3.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION. Would the Proposed Project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.17.1 REGULATORY SETTING

State Laws, Regulations, and Policies

Caltrans manages the state highway system and ramp interchange intersections. The state agency is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance.

CEQA Guidelines section 15064.3, subdivision (b), specifies the criteria for determining the significance of transportation impacts. Vehicle miles traveled (VMT) is “generally” the best measurement of transportation impacts, thus allowing agencies room to tailor their analyses to include other measures if appropriate. The guidelines describe factors that might indicate whether a project’s VMT is less than significant or not and gives examples of projects that might have less-than-significant impacts with respect to VMT, such as projects that would result in decreased VMT.

Local Regulations and Policies

The Los Angeles County 2035 General Plan (LACDRP 2021) has two mobility goals that affect transportation resources County-wide. These are:

- Policy M 1.1: Provide for the accommodation of all users, including pedestrians, motorists, bicyclists, equestrians, users of public transit, seniors, children, and persons with disabilities when requiring or planning for new, or retrofitting existing, transportation corridors/networks whenever appropriate and feasible, and;
- Policy M 2.4: Ensure a comfortable walking environment for pedestrians (LACDRP 2021).

3.17.2 ENVIRONMENTAL SETTING

The Proposed Project area adjoins State Highway 138; however, no work will take place in the highway right-of-way and an encroachment permit will not be required.

3.17.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Direct and Indirect Effects, Construction. The Proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Temporary delays during construction might be experienced by traffic along State Highway 138, as vehicles enter and exit the site, and as excavation work is conducted adjacent to the State right-of-way; however, this would be no more of a burden than normal use of the road by heavy construction in other parts of the region. For facility encroachment within State right of way (electrical undergrounding from pole located at limit of State right of way), MVMWC, Southern California Edison, and the construction contractor will apply for an Encroachment Permit from Caltrans. **A less than significant impact** would occur relative to this issue.

Direct and Indirect Effects, Operation. There would be **no impact** from operation of the water utility.

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

Direct and Indirect Effects, Construction and Operation. The Proposed Project is not a transportation project and would not be expected to change or increase VMT in the vicinity aside from minimal temporary changes due to construction activities. The Proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). **No impact** would occur relative to this issue.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Direct and Indirect Effects, Construction and Operation. The Proposed Project is not a transportation project, and other than electrical utility service undergrounding from an existing pole just within State right of way will not occur in any roadway right-of-way and would not be expected to increase roadway hazards. **No impact** would occur relative to this issue.

- d) Result in inadequate emergency access?

Direct and Indirect Effects, Construction and Operation. The Proposed Project is not a transportation project, and other than electrical utility service undergrounding from an existing pole just within State right of way, will not occur in any roadway right-of-way, and would not be expected to limit emergency access. **No impact** would occur relative to this issue.

3.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES.				
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. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRIBAL CULTURAL RESOURCES.				
b. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.18.1 REGULATORY SETTING

Assembly Bill (AB) 52, which was approved in September 2014, and which went into effect on July 1, 2015, requires that state lead agencies consult with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of a project, if so requested by the tribe. The bill, chaptered in Public Resources Code § 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource (TCR) is a project that may have a significant effect on the environment.

TCRs are further defined under Public Resources Code § 21074 as follows:

- A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to newly chaptered § 21080.3.2 of the Public Resources Code, or according to § 21084.3. Section 21084.3 of the Public Resources Code identifies mitigation measures that include avoidance and preservation of TCRs and treating TCRs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

3.18.2 ENVIRONMENTAL SETTING

On February 28, 2022, and April 1, 2022, Project notification letters with invitations to consult on the Project were sent by certified mail to representatives of the three tribes on the State Water Board’s Assembly Bill (AB) 52 list for Los Angeles County: the San Manuel Band of Mission Indians,

the Gabrieleno/Tongva San Gabriel Band of Mission Indians, and the Morongo Band of Mission Indians. No response has been received by the State Water Board from the Gabrieleno/Tongva San Gabriel Band of Mission Indians, and the Morongo Band of Mission Indians. The San Manuel Band of Mission Indians responded on March 4, 2022, stating that the Project area is outside of their ancestral territory, and they would not be requesting consultation.

Project notification letters with invitations to consult on the Project informally were sent to representatives of three additional tribes on the Native American Heritage Commission’s contact list for the Project Area: the Fernandeno Tataviam Band of Mission Indians, the San Fernando Band of Mission Indians, and the Serrano Nation of Mission Indians. No response has been received by the State Water Board from the San Fernando Band of Mission Indians, and the Serrano Nation of Mission Indians. The Fernandeno Tataviam Band of Mission Indians responded on April 7, 2022, to request a copy of the cultural report prepared for the Project. The State Water Board provided the cultural report to the Fernandeno Tataviam Band of Mission Indians and on April 8, 2022, Mr. Jairo Avila, Tribal Historic and Cultural Preservation Officer for the Fernandeno Tataviam Band of Mission Indians responded stating that though the Tribe does not take issue with the Project itself, the Project Area is recognized as culturally sensitive due to its proximity to cultural sites, significant trails, and stone quarry sources. Mr. Avila provided the State Water Board with suggested mitigation measures which are reflected in Section 3.5 Cultural Resources **Mitigation Measures CUL-1 and CUL-2**.

See Section 3.5 for a discussion of historical and archaeological resources that can also be tribal cultural resources.

3.18.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a. 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

Direct and Indirect Effects, Construction and Operation. In addition to tribal consultation, a cultural resources study that included a records search at the Regional information Center of the CHRIS, a Sacred Lands File search was conducted by the NAHC, and a pedestrian survey found no tribal cultural resources that are 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) were identified on or near the project site. However, if tribal cultural resources were discovered during construction, there could be a potentially significant impact. Incorporating mitigation measures CUL-1 and CUL-2 would reduce potential impacts to less than significant. **Less than significant with mitigation incorporated.**

- b. 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.

Direct and Indirect Effects, Construction and Operations. While no known tribal cultural resources were identified in the Proposed Project area, there is a possibility that pre-colonial archaeological resources could be found during Proposed Project construction. Ground-disturbing activities have the potential to result in the discovery of, or unanticipated damage to, archaeological contexts and human remains, and this possibility cannot be totally eliminated. Consequently, there is a potential for significant impacts on TCRs. Implementation of the stop work and treatment procedures to avoid and minimize potential impacts as described in **Mitigation Measures CUL-1, and CUL-2** would reduce the potential impacts to **less than significant with mitigation incorporated**.

See Cultural Resources Section 3.5.3 for **Mitigation Measures CUL-1**.

3.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS. Would the Proposed Project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.19.1 REGULATORY SETTING

Federal Laws, Regulations, and Policies

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (RCRA; 42 USC § 6901 et seq.), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste in the United States.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California received authority to implement the RCRA program in August 1992.

State Laws, Regulations, and Policies

Solid Waste

The Department of Resources Recycling and Recovery (CalRecycle), a department of CalEPA, administers and provides oversight for all of California's state-managed non-hazardous waste handling and recycling programs.

Assembly Bill 939 (Integrated Solid Waste Management Act of 1989; Public Resources Code 40050 et seq.) established an integrated waste-management system that focused on source reduction, recycling, composting, and land disposal of waste. AB 939 required every California city and county to divert 50 percent of its waste from landfills by the year 2000. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates. Actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years of disposal capacity for all jurisdictions in the county or show a plan to transform or divert its waste.

Assembly Bill 341 (Chapter 476, Statutes of 2011) increased the statewide solid waste diversion goal to 75 percent by 2020. The law also mandates recycling for commercial and multifamily residential land uses as well as schools and school districts. Section 5.408 of the 2013 California Green Building Standards Code (Title 24, California Code of Regulations, Part 11) requires that at least 50 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

Water and Wastewater Utilities

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (known as the Porter-Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the state into nine regions, each overseen by an RWQCB. The SWRCB is the primary state agency responsible for protecting the quality of the state's surface water and groundwater supplies. However, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA §§ 401, 402, and 303(d). In general, the SWRCB

manages water rights and regulates statewide water quality, whereas the RWQCBs focus on water quality within their respective regions.

The Porter-Cologne Act requires the RWQCBs to develop water quality control plans (also known as Basin Plans) that designate beneficial uses of California’s major surface water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a water body - i.e., the reasons why the water body is considered valuable. Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin Plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter-Cologne Act, Basin Plans must be updated every 3 years. Local water providers are subject to the Division of Drinking Water (DDW) of the State Water Resources Control Board; DDW is the regulatory agency of MVMWC and issues State drinking water supply permits.

Local Regulations and Policies

Drinking Water Program of Los Angeles County Department of Environmental Health (DEH)

The DEH is the Local Primacy Agency (LPA), and has issued a Water Supply Permit to MVMWC. The system modifications and improvements proposed to the MVMWC’s treatment and well facilities will require an amendment to the Water Supply Permit.

Under the provisions of Section 116330 of the California Health and Safety Code, the Drinking Water Program of DEH permits, inspects, and monitors small public water systems with less than 200 service connections, wells, and exploratory holes in Los Angeles County. DEH is delegated with authority to review and approve production and non-production water wells in Los Angeles County including the Project area.

Any person who wishes to secure a production water well permit must first submit an application to DEH. A well can only be drilled by a California contractor who holds a valid Specialty Contractor’s license, C-57. Production wells must be constructed according to standards listed in Los Angeles County Code Title 11, Health and Safety, Section 11.380.

Solid Waste Program of the Los Angeles County Department of Public Works (DPW)

County unincorporated areas, which are not part of a Garbage Disposal District or the Franchise Solid Waste Collection System, are operating under an open market system for solid waste collection services. The Proposed Project area is within an open market area. In open market areas the County does not have any jurisdictional authority over the haulers’ service standards, management practices, hours and methods of collection, service rates, and other operational components of solid waste service. A franchise system will replace all open market systems over the next years.

Water Resources Program of the Los Angeles County Department of Public Works (DPW)

Stormwater quality is managed by the DPW while flood control is administered by the Los Angeles County Flood Control District. The Proposed Project area is outside of the limits of the Los Angeles County Sanitation District; residences and businesses in the Proposed Project area use on-site septic tanks or other private wastewater treatment systems.

3.19.2 ENVIRONMENTAL SETTING

In the unincorporated Los Angeles County community, solid waste collection services are provided by private waste haulers through an open-market system. Waste Management in the Proposed Project area is run by the local division of Waste Management, Inc. which provides collection, disposal, recycling, and environmental services to the Antelope Valley. Waste Management, Inc. operates two landfills, the Antelope Valley Recycling and Disposal Facility in Palmdale and the Lancaster Recycling and Disposal Facility in Lancaster.

The Lancaster Recycling and Disposal Facility receives up to 1,700 tons of refuse per day. As a solid waste facility, the Antelope Valley Recycling and Disposal Facility can receive up to 1,800 tons of refuse per day. The site is located equidistant (approximately 30 miles) from the two Waste Management landfills (CalRecycle 2022).

Electricity is provided to the Proposed Project area by Southern California Edison and there is no natural gas services (propane is used). There is no cable service and telephone services are provided by Frontier. Cell phone services are provided by several providers.

3.19.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Direct Effects, Construction and Operation. Some limited temporary disruption of water utility service may occur because of construction. However, these impacts would likely be limited to a few hours during the middle of the day on weekdays, and service reliability will be increased following completion of construction. No expansion of wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications is proposed. The Proposed Project involves construction of new water facilities including a new well, water treatment facility, and water storage tanks, well site and electrical improvements, and destruction of an existing, unpermitted well. These facilities would generally occupy the same parcel (APN 3275-012-015 and adjacent parcels), albeit with a slightly larger footprint within the existing fence. The proposed well will be a second, backup source in the event that MVMWC's sole existing permitted well is out of service for planned or unplanned maintenance. The sole, existing permitted well is approximately 70 years old. **Less than significant impact.**

Indirect Effects. No other impacts are anticipated other than temporary disruption during construction, therefore **no impact** would occur relative to this issue.

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

Direct and Indirect Effects, Construction and Operation. The Proposed Project will not generate any new permanent demands on existing water supplies. The proposed well will be a second, backup source in the event that MVMWC's sole existing permitted well is out of service for planned or

unplanned maintenance. The sole, existing permitted well is approximately 70 years old. The water system infrastructure improvements would not result in any additional water usage. Minimal use of water would be required during construction, but it is well within the normal daily usage variability of the water utility. MVMWC may utilize its non-permitted well for some construction purposes (i.e. earthwork, dust control) prior to its destruction. **Less than significant impact.**

- c) 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?

Direct and Indirect Effects, Construction and Operation. The Proposed Project will not add to wastewater demands. The Proposed Project does not add residential or commercial units. Existing residential and commercial units dispose of wastewater through individual septic systems. The treatment system will utilize an adsorptive media for arsenic removal. The media will need to be replaced approximately every 5-7 years. Utilized media will be disposed offsite at a permitted facility. **No impact** would occur relative to this issue.

- d) 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?

Direct and Indirect Effects, Construction and Operation. The Proposed Project will not add to solid waste demands or generate excessive solid waste. The treatment system will utilize an adsorptive media for arsenic removal. The media will need to be replaced approximately every 5-7 years. Utilized media will be disposed offsite at a permitted facility. This impact would be **less than significant** would occur relative to this issue.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Direct and Indirect Effects, Construction and Operation. The Proposed Project will not add permanently to solid waste demands or generate excessive solid waste. Minimal generation of solid waste would occur during construction, but it is well within the normal daily generation variability of the community and will not impose a burden on local facilities. **Less than significant impact.**

3.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Proposed Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Proposed Project:				
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3.20.1 REGULATORY SETTING

CAL FIRE Wildland Fire Management

The Office of the State Fire Marshal and the California Department of Forestry and Fire Protection (CAL FIRE) administer state policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:

- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code § 4442).
- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code § 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code § 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 feet of any flammable materials (Public Resources Code § 4431).

CEQA and CEQA Guidelines

Senate Bill 1241 (Kehoe, 2012) required the Office of Planning and Research, the Natural Resources Agency, and CalFire to develop “amendments to the initial study checklist of the [CEQA Guidelines] for the inclusion of questions related to fire hazard impacts for projects located on lands classified as state responsibility areas, as defined in section 4102, and on lands classified as very high fire hazard severity zones, as defined in subdivision (i) of section 51177 of the Government Code.”

3.20.2 ENVIRONMENTAL SETTING

Fire Hazard Severity Zone

The region surrounding the Proposed Project site is zoned as having Moderate Hazard Severity (COSFM 2021). The LACFD maintains Station 77 at 47833 Ralphs Road, in Gorman, approximately 11 miles west and Station 112 at 8812 Ave E-8, in Lancaster, approximately 20 miles east of the Proposed Project.

3.20.3 DISCUSSION OF IMPACTS

Would the Proposed Project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Direct and Indirect Effects, Construction and Operation. The Proposed Project is located within an area with Moderate Fire Hazard Severity Zone (FHZS) (COSFM 2021). The existing and proposed facilities will be located within existing fenced areas or within uninhabited lands. No above ground facilities will be within a transportation route. There would be **no impact**.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Direct and Indirect Effects, Construction and Operation. The Proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would not exacerbate wildfire risks. The average slope across the Proposed Project area is less than 0.01%. There would be **no impact**.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Direct and Indirect Effects, Construction and Operation. The Proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. The Proposed Project would provide

higher fire protection through the construction of more reliable and capable water delivery infrastructure. **No impact** would occur relative to this issue.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Direct and Indirect Effects, Construction and Operation. The Proposed Project would not significantly alter the drainage, runoff, or post-fire slope instability of the area, and therefore would not expose people or structures to significant risks including downslope or downstream flooding or landslides. The average slope across the Proposed Project area is less than 0.01%. **No impact** would occur relative to this.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community,

substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Direct Effects, Construction and Operation. There may be limited displacement of wildlife during construction. Most improvements are located within a fenced area, located adjacent to a state highway. At an adjacent parcel, located in a grassy area, a new well will be drilled and an existing well, located within a fence, will be destroyed. The Proposed Project is consistent with other land use in the area. No unusual effects on listed species are anticipated as none were identified in the Biological Report (Appendix B). No known representations of California history or prehistory have been found in the area. **Less than significant impact.**

Indirect Effects. There will be **no impact** due to the Proposed Project.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Direct and Indirect Effects, Construction and Operation. The area is not subjected to high levels of construction, including water system or highway improvement projects. There is little likelihood of a cumulative impact from future or on-going projects. **No impact.**

Cumulative Impacts. No reasonably foreseeable future actions were found (LACDRP 2015, Caltrans 2022) that are expected to provide cumulative impacts to all of the resource except one. There is a private development project that may have cumulative impacts. Tejon Ranch Centennial Project was a planned community of more than 19,300 homes to be developed near the Proposed Project area. In March 2023, the Los Angeles Superior Court has ordered to rescind the Project’s 2019 approvals (Tejon Ranch 2023). Tejon Ranch is considering other options to reinstate the project. As of date of this report, it is unlikely that Tejon Ranch Centennial Project has been reinstated.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Direct Effects, Construction and Operation. There will be some inconvenience experienced by local residents and travelers on public roads, along with minimal noise and dust generation; however, these are well within the Los Angeles County tolerance limits for construction projects. No unusual effects are anticipated. During operations, the distribution system will return to the current effects with some important improvements in reliability and service. **Less than significant impact.**

Indirect Effects. There will be **no impact** due to the Proposed Project.

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**APPENDIX A–
PRELIMINARY DESIGN DRAWINGS**

Available Upon Request

**APPENDIX B –
BIOLOGICAL RESOURCES REPORT**

Available Upon Request

**APPENDIX C –
BURROWING OWL SURVEY**

Available Upon Request

**APPENDIX D –
CULTURAL RESOURCES REPORT**

(Not Publicly Distributed)

**APPENDIX E –
MITIGATION AND MONITORING REPORT PROGRAM**

MITIGATION MONITORING AND REPORTING PROGRAM

PURPOSE OF THE PROJECT

The MVMWC owns and operates a public water system that provides service to approximately 150 residents about 2.5 miles west of the community of Neenach, located within Antelope Valley, in unincorporated northwestern Los Angeles County, California (Figure 1). Infrastructure improvements will be made on MVMWC-owned land adjacent to the intersection of 281st Street and State Highway 138. The MVMWC (Public Water System No. CA1900100) was incorporated in 1969 to provide potable water service to the population within its service area. The water system provides water service to approximately 98 connections of which approximately 65 are active, most of which are residential. Some connections utilize water only for agricultural purposes.

The MVMWC's water is supplied entirely by groundwater. The MVMWC owns, operates, and maintains one permitted production well, Well No. 1. This well is located on an MVMWC-owned property (APN 3275-012-015). Well No. 2 is not permitted for potable use as the MVMWC has not been able to provide a driller's log to verify the construction of the well. Well No. 2 is located on APN 3275-012-018. It has an active pump and motor in the well, with discharge to the immediate atmosphere.

The existing Well No. 1 has a 150 hp pump/motor. The pump/motor is oversized as its capacity is over 700 gpm and discharges to on-site storage tanks, while the maximum day demand (MDD) requires a flowrate of approximately 162 gpm. In addition to being oversized, Well No. 1 is difficult to access for repairs. In order to inspect or service the well and remove its column piping, the grid power must be turned off as there are power lines directly over the wellhead. In addition, there is a low hanging shade structure covering the electrical equipment that poses an operator safety hazard.

The MVMWC does not have an active outside standby or emergency water supply source should its existing wells fail. The MVMWC has no current interconnections with water agencies. The nearest water system is West Valley County Water District, located approximately one mile east of the MVMWC's service area.

The improvement objectives for the MVMWC's potable water system are as follows:

1. Address the MVMWC's regular exceedance of the MCL for arsenic and address the 2015 LPA Citation and the EPA 2019 Administrative Order on Consent.
2. Provide a permitted, second source of water for the MVMWC to comply with California Drinking Water Standards (DWS).
3. Improve water supply system reliability and redundancy, communication systems, and infrastructure access.
4. Replace oversized well pump/motor for Well No. 1 to reduce electrical costs while meeting MDD production requirements. Rearrange power supply and panels at the Well No. 1 site to improve maintenance and site safety.
5. Repair/replace deteriorating storage tanks with new tanks with sufficient volume.

6. Underground existing Southern California Edison service to Well No. 1 site to facilitate access and maintenance of Well No. 1. Install new diesel generator and automatic transfer switch to improve system reliability.

REGULATORY FRAMEWORK

California Public Resources Code Section 21081.6 and California Code of Regulations Title 14, Chapter 3, Section 15097 require public agencies to adopt mitigation monitoring or reporting plans when they approve projects under an MND. The reporting and monitoring plans must be adopted when a public agency makes its findings pursuant to CEQA so that the mitigation requirements can be made conditions of project approval.

FORMAT OF THIS PLAN

The MMRP provides a summary of the mitigation measures included in the Proposed Project and includes a statement of the impact discussed in the IS/MND and the corresponding mitigation measure. The mitigation measure is followed by a description of implementation including: the criteria used to determine the effectiveness of the mitigation, the timeframe for implementation, and the party responsible for implementing, monitoring, and reporting the success of the measure.

Implementation of each mitigation measure is ultimately the responsibility of the CEQA Lead Agency; however, the delegated responsibility is shared by MVMWC and their construction contractors. The mitigation measures in this plan contains a “Verified By” signature line, which will be signed by the MVMWC project manager when the measure has been fully implemented. The proof of implementation and success of the mitigation shall be reported to the Lead Agency’s contact person. No further actions or monitoring are necessary for the implementation or effectiveness of the measure.

IMPACTS AND ASSOCIATED MITIGATION MEASURES

MITIGATION MEASURE AIR-1

Summary: To mitigate the potential for short-term emissions related to construction activities, **Mitigation Measure AIR-1** would be implemented.

Mitigation Measure AIR-1: To mitigate the potential for construction-related emissions, the Construction Contractor shall not exceed AVAMD Rule 401 for visible emissions, Rule 404 for particulate matter – concentration, and adhere to requirements for Rule 403 for fugitive dust.

Timing: During construction activities.

Effectiveness Criteria: The Construction Contractor’s report(s). Reports shall be maintained in the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board following completion of construction upon request.

Verified By:

Mettler Valley Mutual Water Company
Project Manager

Date:

MITIGATION MEASURE BIO-1

Summary: During the biological investigation, no effect to species of special concern was identified; however, in the unlikely event that species of special concern are encountered during construction, **Mitigation Measure BIO-1** would be implemented.

Mitigation Measure BIO-1: To avoid direct injury and mortality of species of special concern, the Project applicant shall retain a qualified biologist no less than two weeks prior to the start of field construction activities. Biologist shall conduct a pre-construction survey of work areas and access areas, seven to ten calendar days in advance of the start of each phase of construction. Up to two phases of construction are anticipated. Of particular focus will be migratory birds, including burrowing owl. Biologist shall move out of harm's way wildlife of low mobility that would be injured or killed. Wildlife shall be protected and allowed to move away on its own in a passive manner.

Biologist shall document a description of the surveys and any findings. In areas where an SSC was found, work may only occur in these areas after a qualified biologist has determined it is safe to do so. The biologist shall flag areas of concern and establish an appropriate buffer. The biologist shall advise workers to proceed with caution near flagged areas.

A qualified biologist shall be on site daily during initial ground- and habitat-disturbing activities and vegetation removal for each phase of work. Then, the qualified biologist shall be on bi-weekly (once every 2 weeks) for the remainder of the Project until the cessation of, or start of an extended pause in, ground-disturbing activities to ensure that no wildlife of any kind is harmed. Biologist shall document a description of the monitoring activities and any findings.

If any burrowing owls, or other migratory bird, fly onto the property, the biologist shall stop work in the area and allow the burrowing owl (or any other migratory bird) to fly away on its own. Additionally, the biologist may stop work if any additional wildlife, such as small reptile species, are in harm's way during Project activities.

Timing: Seven to ten calendar days in advance of the start of each phase of construction.

Effectiveness Criteria: The Biologist's report(s). Reports shall be maintained in the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board following completion of construction upon request.

Verified By:

Mettler Valley Mutual Water Company
Project Manager

Date:

MITIGATION MEASURE BIO-2

Summary: During the biological investigation, no effect to species of special concern was identified; however, in the unlikely event that species of special concern are encountered during construction, **Mitigation Measure BIO-2** would be implemented.

Mitigation Measure BIO-2: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife documented immediately. The biologist shall submit a formal report to CDFW and to the State Water Resources Control Board (CEQA lead agency) within 3 calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and location of the carcass or injured animal, and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

Timing: During construction activity.

Effectiveness Criteria: The Biologist's report(s). Reports shall be maintained in the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board following completion of construction upon request.

Verified By:

Mettler Valley Mutual Water Company
Project Manager

Date:

MITIGATION MEASURE BIO-3

Summary: During the biological investigation, no effect to migratory birds or raptors was identified; however, in the unlikely event that migratory birds or raptors are encountered during construction, **Mitigation Measure BIO-3** would be implemented.

Mitigation Measure BIO-3: A qualified biologist will conduct pre-construction survey(s) for nesting birds and raptors within a 500-foot radius of the Project site within 7 days prior to the start of Project activities. If Project activities are delayed or suspended for more than 7 days during the breeding season, the nesting bird and raptor survey shall be repeated. Should any active nest of birds or raptors be discovered, where Project impacts would occur, the biologist will identify a suitable construction-free buffer around the nest. This buffer will be identified by species, nest type, and tolerance to disturbance. At a minimum, the buffer shall be at least 500 feet around active raptor nests and 100 feet around nests of migratory bird species. Personnel working on the Project, including all contractors working on site, shall be instructed on the presence of nesting birds and adherence to no disturbance buffers. Construction shall be prohibited in the buffer zone until the young have fledged and are capable of foraging independently. A qualified biologist shall monitor the nests once per week and a report will be submitted to the State Water Resources Control Board (CEQA lead agency) weekly.

Timing: Seven calendar days prior to the start of Project activities.

Effectiveness Criteria: The Biologist’s report(s). Reports shall be maintained in the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board following completion of construction upon request.

Verified By:

Mettler Valley Mutual Water Company
Project Manager

Date:

MITIGATION MEASURE CUL-1

Summary: During the cultural resource investigation, no evidence of human burial or remains was identified; however, in the unlikely event that human remains are encountered during project development, **Mitigation Measure CUL-1** would be implemented.

Mitigation Measure CUL-1: In the event that new cultural resources are discovered during the project, all ground-disturbing activities in the vicinity of the find shall cease, and an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards (National Park Service 1983) shall be retained to evaluate the find. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If the historical or archaeological resource is Native American in origin, the Fernandeano Tataviam Band of Mission Indians will also be notified and shall be provided information and invited to perform a site visit when the archaeologist makes his/her assessment, to provide tribal input on the evaluation. After the assessment is completed, the archaeologist shall submit a report to the State Water Board describing the significance of the discovery with cultural resource management recommendations. If a resource is determined by the State Water Board, based on recommendations of the qualified archaeologist, and the Fernandeano Tataviam Band of Mission Indians if appropriate, to constitute a "historical resource" or "unique archaeological resource", or a "tribal cultural resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2 for unique archaeological resources, and section 21084.3 for tribal cultural resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. If the find is Native American, the SWRCB and landowner shall, in good faith, consult with the Fernandeano Tataviam Band of Mission Indians on the disposition and treatment of any Native American artifacts or other cultural materials encountered during the project.

Implementation: If a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of discovery so that the area would be protected as determined by the Qualified Archaeologist and/or the FTBMI Native American representative, and consultation and treatment could occur. After the assessment is completed, the archaeologist shall submit a report to the State Water Board describing the significance of the discovery with cultural resource management recommendations. If a resource is determined by the State Water Board, based on recommendations of the qualified archaeologist, and FTBMI, to constitute a "historical resource" or "unique archaeological resource", or a "tribal cultural resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2 for unique archaeological resources, and section 21084.3 for tribal cultural resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. If the find is Native American, the SWRCB and landowner shall, in good faith, consult with the FTBMI on the disposition and treatment of any Native American artifacts or other cultural materials encountered during the project.

Timing: During construction activity.

Effectiveness Criteria: The archeologist's report(s). Reports shall be maintained in the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. Update all the reporting to reflect the deliverable reported to the State Water Board at the time of deliverable completion.

Verified By:

 Mettler Valley Mutual Water Company
 Project Manager

 Date:

MITIGATION MEASURE CUL-2

Summary: During the cultural resource investigation, no evidence of human burial or remains was identified; however, in the unlikely event that human remains are encountered during project development, **Mitigation Measure CUL-2** would be implemented.

Mitigation Measure CUL-2: Upon discovery of human remains or potential human remains, Health and Safety Code 7050.5 shall be implemented. The Los Angeles County Coroner (Coroner) shall be immediately notified of the discovery and the discovery site shall be protected from further disturbance. Work may continue away from the discovery until the coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the Coroner determines that the remains are, or are believed to be, Native American, he or she is required to notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Implementation: If a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the Native American tribal representative). As further defined by State law, the coroner would be notified within 24 hours of the find and shall determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent.

Timing: During construction activity.

Effectiveness Criteria: The coroner's report and archeologist's report if applicable. Reports shall be maintained in the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board following completion of construction upon request.

Verified By:

Mettler Valley Mutual Water Company
Project Manager

Date:

MITIGATION MEASURE-HWQ-1

Summary: Mitigation Measure HWQ-1 is proposed to minimize potential impacts to off-site surface water quality.

Mitigation Measure HWQ-1: MVMWC will assess the receiving water vulnerability and develop a Stormwater Pollution Prevention Plan (SWPPP) that complies with the requirements of the NPDES General Construction Permit (Order 2009-0009-DWQ as amended by 2010 0014-DWQ and 2012-006-DWQ) based on the project-specific risk level. The SWPPP shall identify specific actions and best management practices (BMPs) relating to the prevention of stormwater pollution from project-related construction sources by identifying a practical sequence for site restoration, BMP implementation, contingency measures, responsible parties, and agency contacts. The SWPPP shall reflect localized surface hydrological conditions, local jurisdictional requirements and shall be reviewed and approved by MVMWC prior to commencement of work.

The SWPPP shall be prepared by a qualified SWPPP developer with BMPs selected to achieve maximum pollutant removal and that represent the best available technology that is economically achievable. BMPs for soil stabilization and erosion control practices and sediment control practices will also be required. Performance and effectiveness of these BMPs shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination, (e.g., inadvertent petroleum release) is required to determine adequacy of the measure.

The SWPPP shall also address other project-specific water quality threats, as required for individual improvements including but not limited to, temporary dewatering, hydrostatic testing, and other resources permits as required under the Federal Clean Water Act, County Grading Ordinance, and State Fish and Game Code, as applicable. Construction and post-construction BMPs will be designed to avoid the creation of standing water and potential mosquito breeding habitat.

Implementation: The SWPPP shall be prepared by a qualified SWPPP developer with BMPs selected to achieve maximum pollutant removal and that represent the best available technology that is economically achievable. BMPs for soil stabilization and erosion control practices and sediment control practices will also be required. Performance and effectiveness of these BMPs shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination, (e.g., inadvertent petroleum release) is required to determine adequacy of the measure.

Timing: During construction activity.

Effectiveness Criteria: The BMP performance reports shall determine effectiveness of the SWPPP. Reports shall be maintained in the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board following completion of construction upon request.

Verified By:

Mettler Valley Mutual Water Company
Project Manager

Date:

MITIGATION MEASURE NV-1

Summary: During construction some amount of temporary noise groundborne vibration might occur, primarily during excavation.

Mitigation Measure NV-1: The Construction Contractor shall demonstrate to the satisfaction of the MVMWC Project Manager that the following noise control techniques are implemented during the clearing, demolition, grading, and construction phases of the Proposed Project within 200 feet of residential land uses.

- Heavy equipment repair and contractor staging shall be conducted at sites as far as practical from nearby residences. Construction equipment, including vehicles, generators, and compressors shall be maintained in proper operating condition and shall be equipped with manufacturers' standard noise control devices or better (e.g., mufflers, acoustical lagging, and/or engine enclosures).
- Temporary sound barriers (or curtains), stockpiles of excavated materials, or other effective shielding or enclosure techniques shall be used where construction noise would exceed 90 dBA within less than 50 feet from a noise sensitive receptor.
- Construction work, including on-site equipment maintenance and repair, shall be limited to the hours specified in the noise ordinance of the affected jurisdiction(s).
- Electrical power shall be supplied from commercial power supply, wherever feasible, in order to avoid or minimize the use of engine-driven generators.
- Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
- Unnecessary idling of internal combustion engines (i.e., in excess of 5 minutes) shall be prohibited.
- Operating equipment shall be designed to comply with all applicable local, state, and federal noise regulations.
- Construction site and access road speed limits shall be established and enforced during the construction period.
- If lighted traffic control devices are to be located within 500 feet of residences, the devices shall be powered by batteries, solar power, or similar sources, and not by an internal combustion engine.
- The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- No project-related public address or music system shall be audible at any adjacent sensitive receptor.

Implementation: The construction contractors shall provide advance notice, between 2 and 4 weeks prior to construction, by mail to all residents or property owners within 200 feet of the alignment. The announcement shall state specifically where and when construction will occur in the area. If construction delays of more than 7 days occur, an additional notice shall be made, either in person or by mail. MVMWC shall publish a notice of impending construction on the MVMWC website, stating when and where construction will occur.

The construction contractors shall identify and provide a public liaison person before and during construction to respond to concerns of neighboring residents about noise and other construction disturbance. The construction contractors shall also establish a program for receiving questions or

complaints during construction and develop procedures for responding to callers. Procedures for reaching the public liaison officer via telephone or in person shall be included in notices distributed to the public in accordance with the information above.

If material imports are proposed, the contractor shall furnish MVMWC appropriate documentation certifying that the imported materials are free of contamination.

Timing: During construction activity.

Effectiveness Criteria: The construction contractor material submittal(s). Submittals related to imported material shall be maintained in the environmental portions of the Proposed Project file.

Monitoring and Reporting: MVMWC will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board following completion of construction upon request.

Verified By:

 Mettler Valley Mutual Water Company
 Project Manager

 Date:

**APPENDIX F –
PUBLIC REVIEW COMMENTS ON DRAFT IS/MND**