

**INITIAL STUDY  
AND PROPOSED NEGATIVE DECLARATION**

FOR THE

**EWD Diffused Surface Water Program – Sand Creek  
Managed Aquifer Recharge (MAR) Project**

Prepared by:

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1. SUMMARY

Project Title: **EWD Diffused Surface Water Program – Sand Creek Managed Aquifer Recharge (MAR) Project**

Project Location: Stanislaus County

Lead Agency: Eastside Water District

Agency Carrying Out Project: Eastside Water District

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### **Environmental Factors Potentially Affected**

The environmental factors checked below would be potentially affected by this Project.

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

### **Organization of the Initial Study**

This Initial Study contains the following sections:

**Chapter 1 – Summary.** Provides information about the proposed Project location, lead agency, and identification of environmental issues determined to be “potentially Significant Impacts” as indicated by the Environmental Checklist contained in Section 4.

**Chapter 2 – Introduction.** Provides background information about the proposed Project. This section also describes the content of the Initial Study.

**Chapter 3 – Project Description.** Describes the Project location, surrounding land uses, Project objectives, and characteristics of the proposed Project.

**Chapter 4 – Environmental Checklist.** Contains the Environmental Checklist presented in Appendix I of the CEQA Guidelines. The checklist is used to describe the impacts of the proposed Project. A discussion follows each environmental issue identified in the Checklist.

**Chapter 5 – Determination.** States the determination by the Lead Agency. In this case mitigation measures have been either incorporated into project design or would be implemented separately to reduce Project impacts to a less than significant level.

## **2. INTRODUCTION**

### **Introduction and Background**

Eastside Water District (EWD), located near Denair, in California’s San Joaquin Valley is in the process of designing and constructing pilot facilities to demonstrate MAR concepts to help achieve a long-term sustainable groundwater supply for over 62,000 acres of prime farmland.

EWD is located in Stanislaus and Merced Counties over the Turlock Groundwater Sub-Basin (Sub-Basin) of the San Joaquin Valley Groundwater Basin. Groundwater levels within EWD have experienced significant declines over a 50-year period of record from the mid 1960’s through 2014. Groundwater levels have declined 50 to 70 feet in the western and central portions of the EWD. Water level declines have been more severe in the eastern portion, with declines of up to 85 feet. The average annual rate of groundwater decline from wells located in the western and central portion have been observed to be between 1 and 2 feet per year. In the eastern portion, the annual rate of groundwater decline has been estimated recently at 3.8 feet per year.

EWD landowners recently approved annual charges on each of their individual acreages to raise nearly nine (9) million dollars for capital improvements and about \$900,000 annually to operate and maintain these facilities. In years when surface water is abundant, capital improvement facilities will recharge water into the aquifer, and store it there for use during years when surface waters are unavailable.

### **3. PROJECT DESCRIPTION**

#### **Project Objectives & Summary**

1. Purpose of Use: Irrigation
2. Rate of Diversion: approximately 1 to 2 cfs
3. Maximum Projected Amount of Storage: 720 acre-feet per annum
4. Sources and Points of Diversion: Sand Creek via the existing modified alignment near Montpelier Road
5. Point of Diversion Location: Latitude 37.531198° N Longitude -120.694683°
6. Water Availability: As detailed above
7. Place of Use: The northern portion of EWD via groundwater pumping
8. Project Schedule: Construction during Fall 2016
9. Initial Diversions to Storage: Fall 2016
10. Diversion and Distribution Method: An improved ditch alignment to create a spreading basin to Promote Groundwater Storage to Aquifers beneath EWD

#### **Project Area**

Sand Creek is an ephemeral stream that flows seasonally in most winter periods through the EWD and across several miles of bottom lands before being truncated by the Turlock Irrigation District (TID) Main Canal where it then discharges. The TID Main Canal ultimately is tributary to either the Merced River or the main stem San Joaquin River. The Sand Creek watershed is located between the Tuolumne and Merced Rivers, and drains an area within the EWD is approximately 8,000 acres.

Sand Creek does not have any existing major flood control structures; however, flooding does occur in several areas. The Sand Creek Flood Control District was established in 1968 to provide maintenance of existing flood control facilities within its boundaries. Any storm water removed from Sand Creek for groundwater recharge projects will reduce downstream flooding.

#### **Project Characteristics**

##### **Sand Creek Managed Aquifer Recharge (MAR) Project Description**

The MAR Project involves widening and deepening 280 lineal feet of the engineered watercourse relatively high in the basin with over 4,956 acres of the Sand Creek watershed above the project. The MAR Project is located downstream of the juncture of Sand Creek and Montpelier Road. The watercourse would be deepened over this reach to below the indurated sediment horizons (e.g. duripan) thereby improving the permeability of the stream bed and banks to percolate water. The watercourse would be widened over this 280-foot reach to 75 feet creating roughly a half-acre impoundment within the watercourse.

Due to its ephemeral nature, the Sand Creek watercourse can be worked upon in the dry season with no incremental concern regarding sediment erosion into the creek during and after construction. The Sand Creek Project is designed to artificially enhance percolation from the creek bed itself by slowing a small portion of the flow and exposing it with higher head to the bottom and side walls. The anticipated depth of excavation through the creek bed is on the order of 15 feet.

Flows diverted to groundwater storage are unknown but are anticipated to range from 0.5 cfs to a high of 2 cfs given the limited footprint of this pilot project and manner of recharge via enhanced percolation through an ephemeral creek bed. To meter flow rates and volumes actually diverted into the Sand Creek Project two existing instream concrete structures upstream and downstream will be rehabilitated to flow metering structures. The concrete bottom and sides of each structure will be rebuilt to a known aperture and an open bottom PVC standpipe installed to house an electronic pressure transducer. The rating curve for each water sluiceway or flume will be used to calculate the loss in flow between the two points upstream and

downstream of the Sand Creek MAR Project, and thereby estimate the probable quantity of surface water diverted (i.e. appropriated) to groundwater recharge. The upstream structure is located approximately 30 feet upstream of the Sand Creek Project, and the downstream structures is located approximately 1,750 feet downstream of the Project. Their close proximity will provide fairly accurate measurement of the change in creek discharge although additional accretionary flow may occur over this roughly 2,000-foot reach (separation plus 280-foot project length). Furthermore, at high flows in Sand Creek the precision of the flow metering method and the low rate of diversion will be make accurate quantification of the diversion imprecise during those periods. Quantification of diversion for those periods will be estimated from antecedent diversion rates and descendant diversion rates during more quiescent flows in Sand Creek.

Permitting and Environmental Information

1. California Department of Fish and Wildlife: The project should not change existing land use or the amount of water available at times of need by the State and Federal Projects
2. United State Army Corp of Engineers 404 Permit: This project is under the size that triggers a 404 permit
3. Environmental Documentation (CEQA): Should receive a Notice of Exception as per the Governor’s EO for issuing the temporary water right permit and an Initial Study and Negative Declaration for the actual construction and operations
4. Waste/Wastewater: None
5. Archeology: The project is intended to be limited in an area which has already been disturbed
6. Environmental Setting: Irrigated and non-irrigated agricultural lands

<b>4. ENVIRONMENTAL CHECKLIST</b>
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The following checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed Project. A discussion follows each environmental issue identified in the checklist.

For this checklist, the following designations are used:

**Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR would be prepared.

**Less Than Significant with Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than significant level. If any mitigation measures are recommended for incorporation into the Project Description, a Mitigated Negative Declaration would be prepared.

**Less-Then-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards. If no significant impacts are identified, a Negative Declaration would be prepared.

**No Impact:** The Project would not have an impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
Issues				

**1. AESTHETICS.**

*Would the project:*

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

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

**Discussion**

a-d) Impact to Existing Surrounding Aesthetics.

The nature of the Sand Creek MAR Project is to complement its agricultural surroundings. Any impact is considered positive to the area of concern. Therefore, the project would result in ***no impact***.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**2. 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 project:*

- a. Covert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)))?

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

**Discussion**

- a) The creek widening is expected to convert a portion of existing dry pasture land to a groundwater recharge intermittently during the non-irrigation season. Although dry pasture acreage may be reduced, the impact is determined to not be significant, therefore there is *less than a significant impact*.
- b-e) The nature of the Sand Creek MAR Project is to complement its agricultural surroundings. No impacts to agriculture, farmland, and forestry are anticipated during the construction and operation of the proposed project, and only positive storm water impacts are provided to the area; therefore, there are *no impacts*.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**3. AIR QUALITY.**

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

- a. Conflict with or obstruct implementation of the applicable air quality plan?
- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d. Expose sensitive receptors to substantial pollutant concentrations?
- e. Create objectionable odors affecting a substantial number of people?

**Discussion**

- a-e) Temporary construction impacts from the Project would cause an increase in PM10 emissions. Most of the emissions would be fugitive dust resulting from ground disturbance. Standard dust control BMPs will be implemented to minimize effects. Emission sources would include vehicles and construction equipment traveling over dirt surfaces, site clearing, grading, cut-and-fill operations, and windblown dust. Exhaust from diesel- and gasoline-powered vehicles contains CO, reactive organic gases, nitrogen oxide, sulfur oxide, and PM10. Vehicle emissions from onsite construction equipment would temporarily contribute to the criteria pollutants in the project area. *Less than significant impacts* to air quality are anticipated during operation of the Project.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**4. BIOLOGICAL RESOURCES.**

*Would the 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation loan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a-b) No candidate species or habitat have been identified in the area of the Sand Creek MAR Project. A pre-construction site visit will confirm if any species or habitat may exist that has not been discovered to date. Construction will only proceed in the absence of such species and habitat, therefore the is **no impact** from the project.
- c-f) Sand Creek is an ephemeral stream that flows only in the event of a wet hydrologic rainy season. There is no fishery or terrestrial or aquatic species dependent on Sand Creek infrequent and intermittent flow, therefore the is **no impact** from the project.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**5. CULTURAL RESOURCES.**

*Would the project:*

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

a-d) There are no known prehistoric or historic subsurface cultural resources at the Project site location. This is agricultural land and has on-going farming associated with the site. In the event that any prehistoric or historic subsurface cultural resources are discovered during construction-related earth-moving activities, all work shall be halted and a qualified archeologist (or paleontologist) will be consulted to assess the significance of the find. If any find is determined to be significant by the archeologist, EWD and the archeologist shall determine the appropriate course of action. If the discovery includes human remains of Native American origin, EWD would coordinate activities with the Native American Heritage Commission. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curator, and a report prepared by the archeologist, according to current professional standards. With these actions, there will be a **less than significant impact**.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**6. GEOLOGY AND SOILS.**

*Would the project result in:*

- 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.
  - ii). Strong seismic ground shaking?
  - iii) Seismic-related ground failure, including liquefaction?
  - iv) Landslides?
- b. Result in substantial soil erosion or the loss of topsoil?
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), Creating substantial risks to life or property?
- 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?

**Discussion**

- a) Eastern Stanislaus County is not considered subject to seismic shaking from fault structures located in the Sierra-Nevada mountains to the east. Should such shaking or ground movement occur, little if any effect is anticipated for the proposed project, therefore there is **no impact**.
- b-e) Construction and recharge operations will not affect local topography. Local soils are stable and no imported soils is anticipated, therefore this project has **no impact**.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impacts
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**7. GREENHOUSE GAS EMISSIONS.**

*Would the project:*

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

- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Discussion**

a-b) As with air quality, impacts from greenhouse gas emission were also considered. Vehicle emissions from onsite construction equipment would temporarily contribute to these additional gases being emitted, but they are considered to have less *than a significant impact*.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**8. 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?
- 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?
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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

**Discussion**

a-h) The Sand Creek MAR Project will not create a public or worker health hazard, or interfere with adopted emergency response plans. The project is not near any air strip, urbanized area, or forest. Therefore, there is ***no impact***.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**9. HYDROLOGY AND WATER QUALITY.**

*Would the project:*

- a. Violate any water quality standards or waste discharge requirements?
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?
- f. Otherwise substantially degrade water quality?
- g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j. Inundation by seiche, tsunami, or mudflow?

**Discussion**

- a-f) The Sand Creek MAR Project will not generate any wastewater, or cause additional storm water runoff, Construction activities associated with the Project would require the use of certain hazardous materials such as gasoline, diesel fuel, and oil. It is anticipated that the quantity of products containing hazardous materials used during construction would be minimal and their use would be of short duration. The quantity of hazardous wastes generated from system construction and operation and maintenance would be negligible. Project construction could result in inadvertent spills of hazardous materials during standard construction practices that require transport and use of materials such as gasoline, diesel, and industrial materials. To avoid or minimize impacts related to potential hazardous materials spills, a hazardous materials management and spill prevention plan would be developed and implemented. At a minimum, the spill prevention plan would contain the following BMPs.
- Soils contaminated with fuels or chemicals would be disposed of in a suitable location to prevent discharge to surface or ground waters.
  - Vehicles would be inspected and maintained to reduce the potential for leaks or spills of oils, grease, or hydraulic fluids.
  - Onsite fuels and toxic materials would be stored or contained in an area protected from direct runoff. Minimum distances from water bodies or wetlands for fuel and toxic material storage would be established as required by CV Water Board standards or BMPs.
- Implementation of the spill prevention plan would reduce potential hazardous material impacts to a ***no impact*** level.
- g-j) Flood concerns in the project area are minimal, and only to be improved by the proposed action, therefore there is ***no impact***.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact

**10. LAND USE AND PLANNING.**

*Would the project:*

- a. Physically divide an established community?

- 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?
- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

**Discussion**

a-c) The Sand Creek MAR Project would not divide any community or conflict with any local plans, therefore there is *no impact*.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**11. MINERAL RESOURCES.**

*Would the 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?
- 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?

**Discussion**

a-b) The Sand Creek MAR Project will not result in any negative impacts to mineral resources identified locally, therefore there is *no impact*.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**12. NOISE.**

*Would the project result in:*

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

**Discussion**

- a-f) Initial construction activities would generate noise at the Project site; however, construction noise would be minor and temporary. EWD maintenance workers and nearby residents could be exposed to noise levels above levels existing without the project. No air strip is in the vicinity. Noise effects would not be expected to exceed Stanislaus County’s noise ordinance. Implementation of BMPs would result in less-than-significant noise effects to surrounding properties, therefore there are *no impacts*.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**13. POPULATION AND HOUSING.**

*Would the project:*

- a. Induce substantial population growth in an area, wither directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**Discussion**

- a-c) The Sand Creek Project is not expected to have any possible effect in this area, therefore there is *no impact*

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**14. PUBLIC SERVICES.**

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

Fire protection?	<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"/>

**Discussion**

- a) The Sand Creek MAR Project will not create any hazard or interfere with and adopted emergency response plan or land use plan, therefore there is *no impact*.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**15. RECREATION.**

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**Discussion**

a-b) The Proposed Action would take place adjacent to the existing agricultural lands. The Proposed Action would not disturb any recreational activities that could take place near the project area. There are ***no impacts***.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**16. TRANSPORTATION/TRAFFIC:**

*Would the project:*

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e. Result in inadequate emergency access?
- f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**Discussion**

- a-f) The Sand Creek MAR Project will increase local traffic during the construction period, but only during move-in and move-out days. During operation time there will be no change in traffic. Therefore, there is **no impact**.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**17 UTILITIES AND SERVICE SYSTEMS.**

*Would the project:*

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water of wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require of result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid water disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a-f) The Proposed Action (site grading, monitoring, and system operation and maintenance) would result in the flooding of the recharge basin at the EWD Sand Creek Project Site with storm water conveyed through Sand Creek. No waste fluids or materials are planned. Therefore, are **no impacts**.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-Than Significant Impact	No Impact
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**18 MANDATORY FINDINGS OF SIGNIFICANCE.**

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threatened to eliminate a plant or animal community, 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 of prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App4th 656.

## 5. DETERMINATION

### DETERMINATION BY EASTSIDE WATER DISTRICT

On the basis of the initial study and evaluation above:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Kevin M. Kauffman, P.E.

May 19, 2016  
Date

EASTSIDE WATER DISTRICT

PUBLIC NOTICE OF PROPOSED NEGATIVE DECLARATION

The Water Consultant for the Eastside Water District (EWD) prepares, makes, declares and publishes this proposed Negative Declaration for the following described project:

EWD Diffused Surface Water Program – Sand Creek Managed Aquifer Recharge (MAR) Project

Project Description: Sand Creek is an ephemeral stream that flows seasonally in most winter periods through the EWD and across several miles of bottom lands before being truncated by the Turlock Irrigation District (TID) Main Canal where it then discharges. The TID Main Canal ultimately is tributary to either the Merced River or the main stem San Joaquin River. Sand Creek would be deepened over this 280-foot reach to below the indurated sediment horizons (e.g. duripan) thereby improving the permeability of the stream bed and banks to percolate water. The watercourse would be widened over this 280-foot reach to 75 feet creating roughly a half-acre impoundment within the watercourse. Due to its ephemeral nature, the Sand Creek watercourse can be worked upon in the dry season with no incremental concern regarding sediment erosion into the creek during and after construction. The MAR Project is designed to artificially enhance percolation from the creek bed itself by slowing a small portion of the flow and exposing it with higher head to the bottom and side walls. The anticipated depth of excavation through the creek bed is on the order of 15 feet. Quantification of diversion for those periods will be estimated from antecedent diversion rates and descendant diversion rates during more quiescent flows in Sand Creek.

Project Location: The Sand Creek watershed is located between the Tuolumne and Merced Rivers, and drains an area within the EWD of approximately 8,000 acres. The MAR Project is located downstream of the juncture of Sand Creek and Montpelier Road and north on Monte Vista Avenue. The MAR Project involves widening and deepening 280 lineal feet of the engineered watercourse relatively high in the basin with over 4,956 acres of the Sand Creek watershed above the project.

Determination:

EWD has reviewed the proposed project and has determined that the project, as described above and analyzed in the attached Initial Study, will not have a significant effect on the environment. An Environmental Impact Report is not required pursuant to the Environmental Quality Act of 1970 (Division 13 of the Public Resources Code of the State of California).

Public Review:

This Initial Study/Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and contains an environmental review of the potential impacts of the proposed project. This Initial Study/Negative Declaration is being circulated for over 30 days from May 26, 2016 to June 27, 2016. Comments on the Initial Study/Negative Declaration can be sent by 12:00 noon on June 27, 2016 to:

Kevin M. Kauffman, P.E.  
Water Consultant  
Eastside Water District  
P.O. Box 280  
Denair, California 95316  
(209) 478-4940 and (209) 969-1175  
kauffmankevin@comcast.net

Comments will be reviewed by EWD, and the Initial Study/Negative Declaration will be revised, as appropriate, prior to adoption of the proposed Negative Declaration by EWD, which is scheduled for July 21, 2016.

This environmental review process and Negative Declaration filing is pursuant to Title 14, Division 6, Chapter 3, Article 6, Section 15070 of the California Administrative Code. A copy of this document may be reviewed/obtained at the Eastside Water District website located at [www.eastsidewaterdistrict.com](http://www.eastsidewaterdistrict.com).

Kevin M. Kauffman, P.E.  
EWD Water Consultant