

3.0 ENVIRONMENTAL CONSEQUENCES AND ANALYSIS

1

2 This section combines the discussion of the environmental consequences in
3 accordance with the requirements of National Environmental Policy Act (NEPA) and the
4 analysis of the Project's potential impacts on the environment in accordance with the
5 requirements of California Environmental Quality Act (CEQA), and is presented using
6 the CEQA Initial Study (IS) format. The IS identifies site-specific conditions and impacts,
7 evaluates their potential significance, and discusses ways to avoid or lessen impacts
8 that are potentially significant. The IS was completed for the Bureau of Reclamation
9 (Reclamation), as the Lead Federal agency for creating, monitoring, and maintaining the
10 proposed Mohave Valley Conservation Area Backwater Project (Project), and the
11 California State Lands Commission (CSLC), as the landowner and lessor to the
12 California Department of Fish and Wildlife (CDFW or Applicant or Lessee).

13 A prior IS, prepared by the San Bernardino County (County) in 2012 for developing the
14 overall Moabi Regional Park (Park) (the proposed Project is within the Park), was also
15 used for some of the still relevant environmental resources assessments in this
16 Environmental Assessment/Mitigated Negative Declaration (EA/MND). The 2012 IS is
17 referred to as "2012 IS Checklist" or cited as "SBC 2012." This Section identifies site-
18 specific conditions and impacts, evaluates their potential significance, and discusses
19 ways to avoid or lessen impacts that were identified as potentially significant absent
20 Project revisions or implementation of mitigation measures.

21 The information, analysis and conclusions included in the IS provide the basis for
22 determining the appropriate document needed to comply with NEPA and CEQA. For the
23 Project, based on the analysis and information contained herein, CSLC staff has found
24 that the IS shows that there is substantial evidence that the Project may have a
25 significant effect on the environment but revisions to the Project would avoid the effects
26 or mitigate the effects to a point where clearly no significant effect on the environment
27 would occur. As explained below, the determination of significance under NEPA occurs
28 at the time of approval, via a Finding of No Significant Impact (FONSI), if appropriate.
29 As a result, Reclamation and CSLC have concluded that an EA/MND is the appropriate
30 NEPA and CEQA document for the Project.

31 **NEPA's Environmental Consequences (Also Part of CEQA Impact Analysis)**

32 The "Environmental Consequences" section presents an analysis of the potential
33 environmental impacts of the "No Action" alternative and "Proposed Action" (Project)
34 alternative in accordance with NEPA. The analysis area for all impacts is the access
35 road, Project area, and the immediate vicinity.

36 The analysis of the Project includes direct, indirect, and cumulative effects. The Council
37 on Environmental Quality (CEQ) Regulations define direct effects as those which are
38 caused by the action and occur at the same time and place and indirect effects as those
39 which are caused by the action and occur later in time or further removed in distance. In
40 accordance with NEPA, determination of significance is reserved for the FONSI
41 prepared (if appropriate) for the Project.

1 CEQA's Checklist and Impact Analysis

2 The evaluation of environmental impacts provided in this IS is based in part on the
3 impact questions contained in Appendix G of the State CEQA Guidelines; these
4 questions, which are included in an impact assessment matrix for each environmental
5 category (Aesthetics/Visual Resources, Agriculture and Forest Resources, Air Quality,
6 Biological Resources, etc.), are "intended to encourage thoughtful assessment of
7 impacts." Where there is a possibility for the action to affect a specific resource, there is
8 a discussion of the direction and magnitude of the impact. Each question is followed by
9 a check-marked box with column headings that are defined below.

- 10 • **Potentially Significant Impact.** This column is checked if there is substantial
11 evidence that a Project-related environmental effect may be significant. If there
12 are one or more "Potentially Significant Impacts," a Project Environmental Impact
13 Report (EIR) would be prepared.
- 14 • **Less than Significant with Mitigation.** This column is checked when the
15 Project may result in a significant environmental impact, but the incorporation of
16 identified Project revisions or mitigation measures would reduce the identified
17 effect(s) to a less than significant level.
- 18 • **Less than Significant Impact.** This column is checked when the Project would
19 not result in any significant effects. The Project's impact is less than significant
20 even without the incorporation of Project-specific mitigation measures.
- 21 • **No Impact.** This column is checked when the Project would not result in any
22 impact in the category or the category does not apply. When the determination in
23 the checklist is "No Impact," and there is no possibility for the Project to have an
24 effect on the resource, there is no explanation of the answer. Where this project
25 could be presumed to have an effect on the resource in question, there is an
26 explanation provided for any "No Impact" determinations. All other determinations
27 are accompanied by an explanation.

28 Potentially Affected Environmental Factors

29 The environmental factors checked below would be potentially affected by this Project;
30 a checked box indicates that at least one impact would be a "Potentially Significant
31 Impact" except that the Applicant has agreed to Project revisions, including the
32 implementation of mitigation measures, that reduce the impact to "Less than Significant
33 with Mitigation."

<input type="checkbox"/> Aesthetics/ Visual Resources	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural and Paleontological Resources/Traditional Cultural Properties/Sacred Sites	<input type="checkbox"/> Geology and Soils
<input type="checkbox"/> Greenhouse Gas Emissions and Climate Change	<input checked="" type="checkbox"/> Hazards/Hazardous Materials/Human Health and Safety	<input checked="" type="checkbox"/> Hydrology and Water Quality
<input type="checkbox"/> Land Use and Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population and Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities and Service Systems	
<input checked="" type="checkbox"/> Mandatory Findings of Significance		
<input type="checkbox"/> Other Major Areas of Concern: Environmental Justice and Indian Trust Assets or Tribal Lands		

1 Detailed descriptions and analyses of impacts from Project activities and the basis for
 2 their significance determinations are provided for each environmental factor on the
 3 following pages, beginning with Section 3.1, Aesthetics/Visual Resources. Relevant
 4 laws, regulations, and policies potentially applicable to the Project are listed in the
 5 Regulatory Setting for each environmental factor analyzed in this IS.

6 **AGENCY DETERMINATION**

7 Based on the environmental impact analysis provided by this Initial Study:

- 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.



10/27/2015
Date

8 Signature
 9
 10 Afifa Awan
 11 Division of Environmental Planning and Management
 12 California State Lands Commission