



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter referred to as the Regional Board) is the Lead Agency for evaluating the environmental impacts of the proposed amendment to the *Water Quality Control Plan for the Los Angeles Region* (Basin Plan). The proposed amendment incorporates a Total Maximum Daily Load (TMDL) for metals and selenium in Calleguas Creek, its tributaries, and Mugu Lagoon.

The Secretary of Resources has certified the basin planning process as exempt from certain requirements of the California Environmental Quality Act (CEQA), including preparation of an initial study, negative declaration, and environmental impact report (California Code of Regulations, Title 14, Section 15251(g)). As the proposed amendment to the Basin Plan is part of the basin planning process, the environmental information developed for and included with the amendment is considered a substitute to an initial study, negative declaration, and/or environmental impact report.

The "certified regulatory program" of the Regional Board, however, must satisfy the substantive requirements of California Code of Regulations, Title 23, Section 3777(a) which requires a written report that includes a description of the proposed activity, an alternatives analysis, and an identification of mitigation measures to minimize any significant adverse impacts. Section 3777(a) also requires the Regional Board to complete an environmental checklist as part of its substitute environmental documents.

The Regional Board's substantive obligations when adopting performance standards such as TMDLs, are described in Public Resources Code section 21159. Section 21159, which allows expedited environmental review for mandated projects, provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an Environmental Analysis of the reasonably foreseeable methods of compliance. The statute further requires that the environmental analysis at a minimum, include, all of the following:

- (1) An analysis of the reasonably foreseeable environmental impacts of the methods of compliance.
- (2) An analysis of reasonably foreseeable mitigation measures to lessen the adverse environmental impacts.
- (3) An analysis of reasonably foreseeable alternative means of compliance with the rule or regulation that would have less significant adverse impacts. (Pub. Resources Code, § 21159(a).)

Section 21159(c) requires that the Environmental Analysis take into account a reasonable range of:

- (1) Environmental, economic, and technical factors,
- (2) Population and geographic areas, and
- (3) Specific sites.

A "reasonable range" does not require an examination of every site, but a reasonably representative sample of them. The statute specifically states that the section shall not require the agency to conduct a "project level analysis." (Pub. Res. Code § 21159(d).) Rather, a project level analysis must be

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performed by the local agencies that are required to implement the requirements of the TMDL. (Pub. Res. Code § 21159.2.) Notably, the Regional Board is prohibited from specifying the manner of compliance with its regulations (Water Code § 13360), and accordingly, the actual environmental impacts will necessarily depend upon the compliance strategy selected by the local agencies and other permittees.

The attached checklist and the staff report for the TMDL for metals and selenium in Calleguas Creek, its tributaries, and Mugu Lagoon, with the responses to comments, and the resolution approving the amendment, fulfill the requirements of Section 3777, Subdivision (a), and the Regional Board's substantive CEQA obligations. In preparing these CEQA substitute documents, the Regional Board has considered the requirements of Public Resources Code section 21159 and California Code of Regulations, title 14, section 15187, and intends these documents to serve as a tier 1 environmental review.

Any potential environmental impacts associated with the TMDL depend upon the specific compliance projects selected by the responsible jurisdictions, many of whom are public agencies subject to their own CEQA obligations. (See Pub. Res. Code § 21159.2.) If not properly mitigated at the project level, there could be adverse environmental impacts. The CEQA substitute documents identify broad mitigation approaches that should be considered at the project level. Consistent with CEQA, the substitute documents do not engage in speculation or conjecture but rather consider the reasonably foreseeable environmental impacts of the methods of compliance, the reasonably foreseeable feasible mitigation measures, and the reasonably foreseeable alternative means of compliance, which would avoid, eliminate, or reduce the identified impacts. The Regional Board recognizes that there may be project-level impacts that the local public agencies may determine are not feasible to mitigate. To the extent the alternatives, mitigation measures, or both, are not deemed feasible by those agencies, the necessity of implementing the federally required TMDL and removing the metals impairment Calleguas Creek, its tributaries, and Mugu Lagoon (an action required to achieve the express, national policy of the Clean Water Act) outweigh the unavoidable adverse environmental effects.

I. DESCRIPTION OF PROPOSED ACTIVITY

The Water Quality Control Plan for the Los Angeles Region (also known as a Basin Plan) designates beneficial uses of waterbodies, establishes water quality objectives for the protection of these beneficial uses, and outlines a plan of implementation for maintaining and enhancing water quality. The proposed amendment would incorporate into the Basin Plan a TMDL for metals and selenium in Calleguas Creek, its tributaries, and Mugu Lagoon.

The Regional Board has identified Calleguas Creek, its tributaries, and Mugu Lagoon as impaired due to elevated levels of metals and selenium in water. The beneficial uses most likely to be impaired by metals and selenium loadings are those associated with aquatic life and wildlife, including wildlife habitat (WILD), rare, threatened or endangered species (RARE), warm freshwater habitat (WARM), and wetlands (WET).

The Regional Board's goal in incorporating the TMDL is to protect and restore the overall water quality in Calleguas Creek, its tributaries and Mugu Lagoon by controlling the loading of metals transported to Mugu Lagoon. The adoption of a TMDL is not discretionary and is compelled both by section 303(d) of the

federal Clean Water Act (33 USC 1313(d)) and by a federal consent decree. The proposed TMDL sets numeric water quality targets based on federal and state standards and guidance.

There are significant differences in the sources of metals loadings during dry weather and wet weather. During dry weather, most of the metals load is in the dissolved form. During wet weather, most of the metals are loaded in the particulate form and are associated with wet-weather storm water flow. For dry-weather conditions, the TMDL develops mass-based waste load allocations for urban runoff and agricultural discharges. For wet-weather conditions, the TMDL develops flow-weighted waste load allocations for urban runoff and agricultural discharges. The TMDL develops both concentration-based and mass based waste load allocations for the POTWs and other NPDES dischargers for both wet- and dry- weather conditions.

The proposed TMDL establishes a 15-year implementation schedule for compliance. The implementation plan includes an evaluation of a combination of water quality monitoring, hot spot removal, waste collection and sediment control. The proposed TMDL also consists of a monitoring program to assess compliance with the waste load allocations; to collect additional data in order to evaluate the uncertainties and assumptions made in development of the TMDL, and to collect data to evaluate potential management scenarios.

The implementation plan includes an evaluation of a combination of non-structural and structural best management practices (BMPs) that could be used to achieve compliance with the municipal storm water waste load allocations, including an economic analysis for the suggested measures. Many of the BMPs and potential compliance approaches evaluated apply to the general industrial, agricultural, and construction storm water permittees as well. Non-structural BMPs may include increased storm drain catch basin cleanings, improved street cleaning and educating industries of good housekeeping practices. Structural BMPs may include the installation of storm water treatment devices specifically designed to reduce metals loadings, such as infiltration trenches and sand or organic filters, at critical points in the storm water conveyance system. Such devices may also incorporate surge control, such as underground storage vaults or detention basins. Structural BMPs may also include construction and maintenance of retention basins and installation of filter strips. The proposed TMDL also consists of a monitoring program to assess compliance with the waste load allocations, to collect additional data in order to evaluate the uncertainties and assumptions made in development of the TMDL, and to collect data to evaluate potential management scenarios.

II. GENERAL ENVIRONMENTAL COMMENTS

The detailed environmental setting and authority for the Calleguas Creek Watershed Metals and Selenium TMDL is set forth in the detailed technical reports entitled "Total Maximum Daily Load for Metals and Selenium in Calleguas Creek Watershed". The report identifies the environmental setting and need for the project. In addition, the report identifies the reasonably foreseeable methods of compliance.

As established in the technical report, response to comments, hearings, and the administrative record, there is no one-size-fits-all implementation strategy for dischargers. Individual dischargers will most likely opt for a mix of pollution prevention, sediment removal, and structural and non-structural BMPs to implement the TMDL.

The Regional Board has considered potential environmental impacts arising from the reasonably foreseeable means of compliance with the TMDL. (Pub. Res. Code, § 21159(a).) Many of these

compliance approaches are already required under existing law, since the CTR establishes federal, numeric water quality standards for many of the metals subject to this TMDL. The continued exceedances of water quality standards are themselves adverse environmental impacts, as the receiving water will remain toxic to aquatic life during the implementation period for the TMDL. The TMDL authorizes the continued exceedance of the federal water quality standards for up to 15 years; however, the Regional Board staff has determined that the 15-year period is reasonable and as short as practicable to allow dischargers to implement a complex, yet efficient, mix of projects to comply with the waste load and load allocations. The adverse impacts of non-compliance with water quality standards are mitigated through a progressive reduction in the loading of pollutants to Calleguas Creek, its tributaries and Mugu Lagoon through a schedule that is reasonable and as short as practicable.

Based on information developed during the CEQA scoping process, the accompanying CEQA checklist identifies the reasonably foreseeable environmental impacts of the methods of compliance. (Pub. Res. Code, § 21159(a)(1).) This analysis is a program-level (i.e., macroscopic) analysis. CEQA does not require the Regional Board to conduct a project-level analysis of environmental impacts. (Pub. Res. Code, § 21159(d).) Similarly, the CEQA substitute documents do not engage in speculation or conjecture. (Pub. Res. Code, § 21159(a).) When the programmatic CEQA scoping identifies a potential environmental impact, the accompanying analysis identifies reasonably foreseeable feasible mitigation measures. (Pub. Res. Code, § 21151(a)(2).) Because dischargers will most likely use a combination of structural and non-structural BMPs, the CEQA substitute documents have identified the reasonably foreseeable alternative means of compliance. (Pub. Res. Code, § 21159(a)(3).)

The Dischargers are likely to use a dynamic combination of structural and non-structural BMPs that will vary from project to project. These project-level determinations could have environmental impacts if not properly mitigated at the project level. Project proponents will need to consider mitigation such as alternative siting, varying construction times for any projects requiring construction activities, and designing systems to minimize the potential for flooding while ensuring minimum base flows to support downstream habitat. With respect to potential environmental impacts that may occur at the project level, the accompanying checklist identifies the types of mitigation that may be feasible. In the event that a specific BMP may have impacts that can not feasibly be mitigated, the project proponent may need to consider an alternative BMP or combination of BMPs to comply with the TMDL. Furthermore, to the extent the alternatives, mitigation measures, or both, are not deemed feasible by those agencies, the necessity of implementing the federally required TMDL and removing the metal loadings from Calleguas Creek, its tributaries, and Mugu Lagoon (an action required to achieve the express, national policy of the Clean Water Act) outweigh the unavoidable adverse environmental effects as they will be minimal because project level planning, construction, and operation methods are available to mitigate foreseeable environmental impacts from implementing the TMDL as described in the CEQA checklist.

III. ENVIRONMENTAL CHECKLIST		
1.	Earth. Will the proposal result in:	
	a. Unstable earth conditions or in changes in geologic substructures?	No
	b. Disruptions, displacements, compaction or overcoming of the soil?	Maybe
	c. Change in topography or ground surface relief features?	Maybe
	d. The destruction, covering or modification of any unique geologic or physical features?	No
	e. Any increase in wind or water erosion of soils, either on or off the site?	No
	f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	Maybe
	g. Exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	No
2.	Air. Will the proposal result in:	
	a. Substantial air emissions or deterioration of ambient air quality?	Maybe
	b. The creation of objectionable odors?	Maybe
	c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	No
3.	Water. Will the proposal result in:	
	a. Changes in currents, or the course of direction or water movements, in either marine or fresh waters?	Maybe
	b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?	Yes
	c. Alterations to the course of flow of flood waters?	Maybe
	d. Change in the amount of surface water in any water body?	Maybe
	e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?	Yes
	f. Alteration of the direction or rate of flow of ground waters?	Maybe



III. ENVIRONMENTAL CHECKLIST		
	g. Change in the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	Maybe
	h. Substantial reduction in the amount of water otherwise available for public water supplies?	Maybe
	i. Exposure of people or property to water related hazards such as flooding or tidal waves?	Maybe
4.	Plant Life. Will the proposal result in:	
	a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?	Maybe
	b. Reduction of the numbers of any unique, rare or endangered species of plants?	Maybe
	c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	No
	d. Reduction in acreage of any agricultural crop?	Maybe
5.	Animal Life. Will the proposal result in:	
	a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?	Maybe
	b. Reduction of the numbers of any unique, rare or endangered species of animals?	No
	c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	No
	d. Deterioration to existing fish or wildlife habitat?	Maybe
6.	Noise. Will the proposal result in:	
	a. Increases in existing noise levels?	Maybe
	b. Exposure of people to severe noise levels?	No
7.	Light and Glare. Will the proposal:	
	a. Produce new light or glare?	No

III. ENVIRONMENTAL CHECKLIST		
8.	Land Use. Will the proposal result in: a. Substantial alteration of the present or planned land use of an area?	Maybe
9.	Natural Resources. Will the proposal result in: a. Increase in the rate of use of any natural resources? b. Substantial depletion of any nonrenewable natural resource?	No No
10.	Risk of Upset. Will the proposal involve: a. A risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	Maybe
11.	Population. Will the proposal: a. Alter the location, distribution, density, or growth rate of the human population of an area?	No
12.	Housing. Will the proposal: a. Affect existing housing, or create a demand for additional housing?	Maybe
13.	Transportation/Circulation. Will the proposal result in: a. Generation of substantial additional vehicular movement? b. Effects on existing parking facilities, or demand for new parking? c. Substantial impact upon existing transportation systems? d. Alterations to present patterns of circulation or movement of people and/or goods? e. Alterations to waterborne, rail or air traffic? f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	Maybe Maybe Maybe Maybe No
14.	Public Service. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: a. Fire protection? b. Police protection? c. Schools? d. Parks or other recreational facilities?	No No No No

III. ENVIRONMENTAL CHECKLIST		
	e. Maintenance of public facilities, including roads?	Yes
	f. Other governmental services?	Yes
15.	Energy. Will the proposal result in:	
	a. Use of substantial amounts of fuel or energy?	No
	b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	No
16.	Utilities and Service Systems. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:	
	a. Power or natural gas?	No
	b. Communications systems?	No
	c. Water?	Maybe
	d. Sewer or septic tanks?	No
	e. Storm water drainage?	Yes
	f. Solid waste and disposal?	Maybe
17.	Human Health. Will the proposal result in:	
	a. Creation of any health hazard or potential health hazard (excluding mental health)?	Maybe
	b. Exposure of people to potential health hazards?	No
18.	Aesthetics. Will the proposal result in:	
	a. The obstruction of any scenic vista or view open to the public?	No
	b. The creation of an aesthetically offensive site open to public view?	Maybe
19.	Recreation. Will the proposal result in:	
	a. Impact upon the quality or quantity of existing recreational opportunities?	Maybe
20.	Archeological/Historical. Will the proposal:	
	a. Result in the alteration of a significant archeological or historical site structure, object or building?	No
21.	Mandatory Findings of Significance	
	Potential to degrade: Does the project have the potential to degrade the	No

III. ENVIRONMENTAL CHECKLIST	
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, 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?	
Short-term: Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)	No
Cumulative: Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)	No
Substantial adverse: Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION

The analysis of potential environmental impacts is based on implementation of source control measures, erosion control measures, hot spot removal actions, and agricultural best management practices to reduce metals loadings to Calleguas Creek and Mugu Lagoon in response to the proposed Basin Plan amendment. Potential impacts to air quality, biological, agricultural, geology and soils, and water resources are discussed below, and it is found that any significant impacts can and should be mitigated at a project level. The evaluation shall consider whether the environmental impact indicated will have a substantial, adverse change in any of the physical conditions within the area affected by the activity. In addition, the evaluation should discuss environmental effects in proportion to their severity and probability of occurrence. (Use additional pages if necessary.)

1. Earth

- a. Will the proposal result in unstable earth conditions or in changes in geologic substructure

Answer: No

No impact is expected because foreseeable methods of compliance, including implementation of any storage, diversion or treatment facilities, would not be of the size or scale to result in unstable earth conditions or in changes in geologic substructures. To the extent that such facilities could result in unstable earth conditions or in changes in geologic substructures, potential impacts could be avoided or mitigated through proper siting, design, and groundwater monitoring, as specified by geotechnical studies prepared at the project level.

- b. Will the proposal result in disruptions, displacements, compaction or overcoming of the soil?

Answer: Maybe

Depending on the implementation strategy chosen, the proposal may result in soil excavation during construction of storage, diversion or treatment facilities for storm water. Other strategies include the use of infiltration devices or other structural BMPs to treat a portion of storm water, which could result in disruptions of the soil by increasing the rate at which water is discharged to the ground. This potential adverse impact could be mitigated to less than significant levels if structural BMPs are properly designed and sited in areas where the risk of soil disruption is minimal. Foreseeable disruption of soil will be of a temporary nature during construction of structural BMPs. Standard construction techniques, including but not limited to, shoring, piling and soil stabilization can mitigate unstable earth conditions, increases in erosion, changes in deposition or erosion of beach sands, and exposure of persons to geologic hazards. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined. Responsible agencies may also plant cover crops or buffer strips to increase soil infiltration and reduce runoff in order to reduce soil erosion.

- c. Will the proposal result in change in topography or ground surface relief features?

Answer: Maybe

This proposal may result in alterations to ground surface features. Environmental impacts resulting from surface alterations can be mitigated by siting such alterations in geologically stable areas outside of flood plains.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

- d. Will the proposal result in destruction, covering or modification of any unique geologic or physical features?

Answer: No

Potential environmental impacts from destruction, covering, or modification of any unique geologic or physical features can be avoided by studies that map these features and avoiding the siting of BMPs in these areas.

- e. Will the proposal result in any increase in wind or water erosion of soils, either on or off the site?

Answer: No

The purpose of the Basin Plan amendment is to increase the use of management practices that will protect water quality. There are currently many practices available to dischargers which will have a beneficial impact on water quality by reducing erosion, reducing the loss of topsoil or improving soil quality, and are likely to be implemented on a more widespread basis as a result of implementation of the Basin Plan amendment. Dischargers may also plant cover crops or buffer strips to increase soil infiltration and reduce runoff, which will likely reduce soil erosion. The reduction in erosion would be considered a positive environmental impact and would not result in modification of river or stream or the bed of the ocean or any bay, inlet or lake.

- f. Will the proposal result in changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?

Answer: Maybe

The purpose of the Basin Plan amendment is to increase the use of management practices that will protect water quality. There are currently many practices available to dischargers which will have a beneficial impact on water quality by reducing erosion, reducing the loss of topsoil or improving soil quality, and are likely to be implemented on a more widespread basis as a result of implementation of the Basin Plan amendment. Dischargers may also plant cover crops or buffer strips to increase soil infiltration and reduce runoff, which will likely reduce soil erosion. The reduction in erosion would be considered a positive environmental impact and would not result in modification of river or stream. These methods may entail short term disturbances during construction of structural best management practices such as retention basins or effluent treatment system. The specific project impacts can be mitigated by appropriate mitigation methods during construction. It is not foreseeable that this proposal will result in exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards.

- g. Will the proposal result in exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

Answer: No

Persons engaged in construction or maintenance of BMPs or treatment facilities may be exposed to geologic hazards. However, the risk can be minimized by locating such facilities outside of mapped geologic hazards and using standard construction safety protocols such as shoring and harnesses.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

2. Air

- a. Will the proposal result in substantial air emissions or deterioration of ambient air quality?

Answer: Maybe

Depending on the implementation strategy chosen, construction and operation of urban runoff treatment facilities, including temporary increased traffic during construction, could result in increased air emissions. Mitigation measures such as vapor barriers and moisture control are available to reduce transfer of small sediments to air. Air emissions from the construction and operation of treatment systems can be mitigated through deployment of off-gas treatment systems, application of vapor suppressing foams and aeration of stagnant waters, and retrofitting of street sweeping equipment with vacuum and particulate filters. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined. However, any potential air emissions resulting from construction or operational activities would be subject to regulation by the applicable air pollution control agency. In addition, construction of treatment facilities would likely require a separate CEQA review process, wherein project-specific environmental impacts such as increased air emissions would be addressed. In any event, these impacts could be deemed significant, especially in areas where the region is designated non-attainment for relevant air pollutants. However, any significant, un-mitigable impacts on air resources would be short-term in duration and are outweighed by the necessity of implementing the federally required TMDL and reducing metals and selenium in Calleguas Creek, its tributaries, and Mugu Lagoon (an action required to achieve the express, national policy of the Clean Water Act).

- b. Will the proposal result in creation of objectionable odors?

Answer: Maybe

BMPs may be a source of objectionable odors if design allows for water stagnation or collection of water containing sulfur. Mitigation measures may include covers, aeration, filters, and odor suppressing compounds.

- c. Will the proposal result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. It is not foreseeable that this proposal will result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally.

3. Water

- a. Will the proposal result in changes in currents, or the course of direction or water movements, in either marine or fresh waters?

Answer: Maybe

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

A change in fresh water movement may occur if compliance with the TMDL is achieved in part through diversion of storm water from open channels to wastewater or urban runoff treatment facilities. This is likely to have a positive effect, however, not an adverse effect, as it will reduce the potential for flooding during storm events. Potential impacts of reductions in dry weather flow would likely require a separate CEQA review process, wherein project-specific environmental impacts would be addressed. Resource agencies, including California Department of Fish and Game and the National Marine Fisheries Service should be consulted to ensure minimum flows to support aquatic life habitat during low-flow or dry weather conditions.

- b. Will the proposal result in changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?

Answer: Yes

Changes in drainage patterns and the rate and amount of surface water runoff will occur if a portion of storm water is diverted and/or captured and treated or structural BMPs are implemented to achieve compliance with the TMDL. Reduction in surface water runoff resulting from the use of infiltration devices and other structural BMPs would be considered a positive environmental impact, as there would conceivably be a corresponding reduction in pollutant loading associated with urban and storm water runoff. Such devices address the effects of development and increased impervious surfaces in the watershed.

- c. Will the proposal result in alterations to the course of flow of floodwaters?

Answer: Maybe

Changes in surface water runoff resulting from the use of infiltration devices and other structural BMPs would be considered a positive environmental impact. Such devices address the effects of development and increased impervious surface in the watersheds. Depending on the implementation strategy chosen, the proposal may result in the diversion and storage of a portion of storm water, altering its current course of flow in the creek. However, if properly sited and designed, treatment strategies will not reduce the flood control functions in the region and therefore these impacts would be less than significant. Moreover, they will likely reduce peak floodwater flows as some of these peak flows constitute a potential flooding hazard and/or a safety hazard to residents in near-vicinity.

- d. Will the proposal result in change in the amount of surface water in any water body?

Answer: Maybe

A change in the amount of surface water in waterbodies may occur if compliance with the TMDL is achieved by infiltration of storm water runoff or by diverting a portion of runoff to wastewater or urban runoff treatment facilities. Changes in surface water quantity resulting from the use of infiltration devices and other structural BMPs would be considered a positive environmental impact as such devices address the effects of development and increased impervious surfaces in the watershed. The TMDL also recognizes that compliance with waste load allocations for the Hill Canyon and Camarillo Wastewater Treatment Plants may entail ocean discharge of WWTP effluent which foreseeably can result in reduced flows in lower Calleguas Creek. This flow reduction will be subject of analysis in a forthcoming Environmental Impact Report (EIR) by the Camrosa Water Agency for a regional salinity management plan. The proposed flow reduction analysis will contain mitigation measures that will be

California Environmental Protection Agency



IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

reviewed and approved by the California Department of Fish and Game and National Marine Fisheries Service. Mitigation measures include maintenance of minimal flow to support habitat related beneficial uses.

- e. Will the proposal result in discharge to surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?

Answer: Yes

A change in the quality of surface water will occur when the TMDL is implemented by controlling sources of metals in surface runoff. This will positively impact recreational and aquatic life beneficial uses of surface waters.

- f. Will the proposal result in alteration of the direction or rate of flow of ground waters?

Answer: Maybe

A change in the rate of flow of ground waters may occur if compliance with the TMDL is achieved through significant infiltration of storm water. When properly managed, increased groundwater recharge would be considered a positive impact by the proposal as it would contribute to replenishing local water supplies. Groundwater quality standards are available to evaluate impacts from using urban runoff containing contaminants for groundwater recharge. Standard treatment technologies are available for wastewater treatment to reduce contaminant levels prior to recharge. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined.

- g. Change in the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

Answer: Maybe

A change in the quantity of ground waters may occur if compliance with the TMDL is achieved through significant infiltration of storm water. Increased groundwater recharge would be considered a positive impact by the proposal as it would contribute to replenishing local water supplies. If infiltration devices are not properly sited and constructed, ground water quality could be adversely impacted. The potential for adverse impacts may be mitigated through proper design and siting of infiltration devices, pretreatment prior to infiltration and through groundwater monitoring.

- h. Will the proposal result in substantial reduction in the amount of water otherwise available for public water supplies?

Answer: Maybe

A reduction or elimination of irrigation water containing high selenium concentration might be required to achieve final load allocations. The potential for adverse impacts may be mitigated by providing alternative water supply or treatment to remove selenium.

- i. Will the proposal result in exposure of people or property to water related hazards such as flooding or tidal waves

Answer: Maybe

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

Depending on the implementation strategy chosen, the proposal may result in flooding hazards if structural BMPs are not properly designed and constructed to allow for bypass of storm water during storms that exceed design capacity. However, the proposal also may reduce flooding hazards by reducing the peak storm flows in Calleguas Creek and its tributaries by diverting and retaining water on-site via infiltration. To the extent that BMPs or regional treatment plants construction may impact the current delineation of the 100-year floodplain (or other applicable floodplain delineation), project proponents may conduct hydraulic modeling to analyze those impacts including increased water depth and velocity. Based on such analysis, the specific project may be modified or applicable and appropriate mitigation measures considered.

4. Plant Life

- a. Will the proposal result in change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?

Answer: Maybe

The TMDL recognizes that compliance with waste load allocations for the Hill Canyon and Camarillo Wastewater Treatment Plants may entail ocean discharge of WWTP effluent which foreseeably can result in reduced flows in lower Calleguas Creek which might result in slightly change in the diversity of riparian species of plants. However, mitigation measures including maintenance of minimal flow will be analyzed in the forthcoming EIR for the Calleguas Creek Watershed Regional Salinity Project to support habitat related beneficial uses. Restoration efforts designed to remove exotic plants and revegetate with native plant species may mitigate potential impacts.

- b. Will the proposal result in reduction of the numbers of any unique, rare or endangered species of plants?

Answer: Maybe

The TMDL recognizes that compliance with waste load allocations for the Hill Canyon and Camarillo Wastewater Treatment Plants may entail ocean discharge of WWTP effluent which foreseeably can result in reduced flows in lower Calleguas Creek which might result in slightly in reduction of the numbers of any unique, rare or endangered species of plants. However, mitigation measures including maintenance of minimal flow will be analyzed in the forthcoming EIR for the Calleguas Creek Watershed Regional Salinity Project to support habitat related beneficial uses. Most BMPs are expected to have a relatively small footprint and would not be likely to have a significant impact on critical habitat for endangered species. Larger regional retention and treatment facilities pose a greater potential to critical habitat. Potential impacts to unique, rare or endangered species and/or critical habitat should be evaluated during a project specific EIR. Special attention should be made to identify and avoid impacts to vernal pools which are known to be located within the Calleguas Creek watershed.

- c. Will the proposal result in introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?

Answer: No

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

See 4.a. This proposal sets waste load and load allocations to protect the beneficial uses of waters of the state. It is not foreseeable that this proposal will result in introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species.

- d. Will the proposal result in reduction in acreage of any agricultural crop?

Answer: Maybe

The purpose of the Basin Plan amendment is to increase the use of management practices that will protect water quality. There are currently many practices available to growers which will have a beneficial impact on water quality by reducing erosion, improving irrigation efficiency to reduce the amount of water entering state waters from agricultural lands. Many of these practices may actually improve agricultural resources by reducing the loss of topsoil or improving soil quality, and are likely to be implemented on a more widespread basis as a result of implementation of the Basin Plan amendment.

Conservation practices that could affect the amount of land used for producing crops include vegetating farm roads, installing vegetated filter strips, planting cover crops, and installing sediment detention basins. The Regional Board has reviewed the potential cost of some commonly used practices that might be employed by growers. Practices may vary widely in both their initial installation costs and in the long-term costs associated with maintenance and reduced cropping area. In some cases, practices can result in improved productivity that will offset costs associated with taking some land out of production for conservation practices. Some practices, such as improved irrigation efficiency and nutrient management, can result in cost savings over time. The available management practices or other potential strategies that could be pursued by growers are unlikely to lead to a conversion of prime agricultural farmland to other uses.

5. Animal Life

- a. Will the proposal result in change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?

Answer: Maybe

The TMDL recognizes that compliance with waste load allocations for the Hill Canyon and Camarillo Wastewater Treatment Plants may entail ocean discharge of WWTP effluent which foreseeably can result in reduced flows in lower Calleguas Creek which might result in slightly change in the diversity of species of animals. However, mitigation measures including maintenance of minimal flow will be analyzed in the forthcoming EIR for the Calleguas Creek Watershed Regional Salinity Project to support habitat related beneficial uses. Mitigation measures may include restoration efforts to remove exotic vegetation and maintenance of minimum in-stream flow requirements as determined by the Resource Agencies. See 3.d, 4.a and 4.b.

- b. Will the proposal result in reduction of the numbers of any unique, rare or endangered species of animals

Answer: No



IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

The TMDL recognizes that compliance with waste load allocations for the Hill Canyon and Camarillo Wastewater Treatment Plants may entail ocean discharge of WWTP effluent which foreseeably can result in reduced flows in lower Calleguas Creek which might result in slightly reduction of the numbers of any unique, rare or endangered species of animals. The analysis of potential impacts on reductions in aquatic life habitat will be associated with a Regional Salinity Management Plan that will evaluate this impact under an EIR for this project or for the Calleguas Creek Watershed Regional Salinity Project to support habitat related beneficial uses. Mitigation measures include, but are not limited to, maintenance of minimum flows in the stream and offsets. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined. See 3.d, 4.a and 4.b.

- c. Will the proposal result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

Answer: No

This proposal sets waste load and load allocations to protect the beneficial uses of waters of the state. It is not foreseeable that this proposal will result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals.

- d. Will the proposal result in deterioration to existing fish or wildlife habitat?

Answer: Maybe

Some of the diversion strategies considered could result in reduced creek flows, particularly during dry weather, which may have an adverse impact on aquatic life habitat. The agencies responsible for implementing the TMDL should consult with agencies such as the California Department of Fish and Game to develop strategies to prevent such impacts to these resources and the National Marine Fisheries Service to determine minimum base flows to be maintained in the creek to protect these resources. In the event that maintaining these flows will not achieve compliance with TMDL requirements, an alternative treatment and return strategy shall be considered. See 3.d, 4.a and 4.b.

6. Noise

- a. Will the proposal result in increases in existing noise levels?

Answer: Maybe

Depending on the implementation strategy chosen, the proposal may result in increases in existing noise levels, particularly in the case of construction of storage, diversion or treatment facilities for storm water. The potential for increased noise levels due to construction is limited and short-term.. Short-term noise impacts can also be mitigated by implementing noise abatement procedures, standard construction techniques such as sound barriers, mufflers and restricted hours of operation. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined.

- b. Will the proposal result in exposure of people to severe noise levels?

Answer: No

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. These methods may entail short-term disturbances during construction of structural best management practices such as retention basins or effluent treatment systems. The specific project impacts can be mitigated by appropriate mitigation methods during construction. These methods will be selected and implemented by responsible local agencies. It is not foreseeable that this proposal will result in exposure of people to severe noise levels.

7. Light and Glare

- a. Will the proposal produce new light or glare?

Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Implementation of the proposed Basin Plan amendment is not likely to produce new light or glare because none of the foreseeable means of compliance involve additional lighting as BMPs will likely to be serviced and maintained during day light hours. Should nighttime construction activities be proposed, potential impacts should be evaluated in the project specific EIR. Potential mitigation efforts may include screening and low-impact lighting.

8. Land Use

- a. Will the proposal result in substantial alteration of the present or planned land use of an area?

Answer: Maybe

Implementation of the proposed Basin Plan amendment is not likely to have adverse impacts on land use and planning. Depending on the implementation strategy chosen, the proposal may result in alteration of the present or planned land use of an area to provide land for storage, diversion or treatment facilities for urban and stormwater runoff. However, projects may be designed to increase parks and wildlife habitat areas and to improve water quality. Potential conflicts between the TMDL and other land uses can be resolved by standard planning efforts under which specific projects are reviewed by local planning agencies. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined.

9. Natural Resources

- a. Will the proposal result in increase in the rate of use of any natural resources?

Answer: No

Implementation of the proposed Basin Plan amendment is not likely to increase the rate of use of any natural resources. Rather it is likely to decrease stress on water supplies by infiltrating to recharge aquifers.

- b. Will the proposal result in substantial depletion of any nonrenewable natural resource?

Answer: No



IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

Implementation of the proposed Basin Plan amendment is not likely to result in substantial depletion of any nonrenewable natural resource. Rather it is likely to decrease stress on water supplies by infiltrating to recharge aquifers.

10. Risk of Upset

- a. Will the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?

Answer: Maybe

Implementation of the proposed Basin Plan amendment is not likely to involve a risk of an explosion or the release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions. Nor should it result in any increased exposure to hazards or hazardous material. While some use of hazardous materials (e.g., paint, oil, gasoline) is likely during construction, potential risks of exposure can be mitigated with proper handling and storage procedures.

11. Population

- a. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?

Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. It is not foreseeable that this proposal will alter the location, distribution, density, or growth rate of the human population of an area.

12. Housing

- a. Will the proposal affect existing housing, or create a demand for additional housing?

Answer: Maybe

Environmental impacts from structural controls to be placed in existing housing areas are similar to environmental impacts from structural controls placed in other areas with sensitive receptors. To the extent that BMPs or treatment facilities must be located within residential areas, mitigation measures may include screening to reduce aesthetic impacts, sound barriers and insulation to reduce noise from pumps, motors, fans, etc., passive design BMPs that do not require frequent maintenance, scheduling of maintenance during mid-day hours to reduce potential impacts from noise and increased traffic from service vehicles.

13. Transportation/Circulation

- a. Will the proposal result in generation of substantial additional vehicular movement?

Answer: Maybe

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

These impacts may entail short-term disturbances during construction of structural best management practices such as retention basins or effluent treatment systems. The specific project impacts can be mitigated by appropriate mitigation methods during construction. To the extent that site-specific projects entail excavation in roadways, such excavations shall be marked, barricaded, and traffic flow controlled with signals or traffic control personnel in compliance with authorized local police or California Highway Patrol requirements. These methods will be selected and implemented by responsible local agencies. It is not foreseeable that this proposal will result in increase in traffic hazards to motor vehicles, bicyclists or pedestrians.

- b. Will the proposal result in effects on existing parking facilities, or demand for new parking?
Answer: Maybe

Depending on the implementation strategy chosen, the proposal may result in alterations to existing parking facilities to incorporate infiltration or other structural BMPs to treat storm water. Structural BMPs, can be designed to accommodate space constraints and would not significantly decrease the amount of parking available in existing parking facilities.

- c. Will the proposal result in substantial impact upon existing transportation systems?
Answer: Maybe

Depending on the implementation strategy chosen, the proposal may result in temporary alterations to existing transportation systems during construction of storm water diversion or treatment facilities. Potential impacts are limited and short-term. Potential impacts could be reduced by limiting or restricting hours of construction so as to avoid peak traffic times.

- d. Will the proposal result in alterations to present patterns of circulation or movement of people and/or goods?
Answer: Maybe

Depending on the implementation strategy chosen, the proposal may result in temporary alterations to present traffic patterns during construction of storm water diversion or treatment facilities. The potential impacts are limited and short-term. Potential impacts could be reduced by limiting or restricting hours of construction so as to avoid peak traffic times.

- e. Will the proposal result in alterations to waterborne, rail or air traffic?
Answer: Maybe

Depending on the implementation strategy and location chosen, the proposal may potentially result in temporary alterations to rail transportation during construction of storm water diversion or treatment facilities. However the potential impacts are limited and short-term and can be avoided or minimized through siting, designing, and scheduling of construction activities.

- f. Will the proposal result in increase in traffic hazards to motor vehicles, bicyclists or pedestrians?
Answer: No

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

These impacts may entail short-term disturbances during construction of structural best management practices such as retention basins or effluent treatment systems. The specific project impacts can be mitigated by appropriate mitigation methods during construction. To the extent that site-specific projects entail excavation in roadways, such excavations shall be marked, barricaded, and traffic flow controlled with signals or traffic control personnel in compliance with authorized local police or California Highway Patrol requirements. These methods will be selected and implemented by responsible local agencies. It is not foreseeable that this proposal will result in increase in traffic hazards to motor vehicles, bicyclists or pedestrians.

14. Public Service. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- a. Fire protection?
Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. All construction should comply with applicable building and safety and fire prevention regulations and codes. It is not foreseeable that this proposal will have an effect upon, or result in a need for new or altered fire protection services.

- b. Police protection?
Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. It is not foreseeable that this proposal will have an effect upon, or result in a need for new or altered any police protection services except for possible increased traffic control during construction projects.

- c. Schools?
Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. It is not foreseeable that this proposal will have an effect upon, or result in a need for new or altered any school services. School facilities may offer opportunities for stormwater collection and reuse through cisterns. Maintenance of such facilities is not expected to significantly increase school facilities maintenance demands.

- d. Parks or other recreational facilities?
Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. It is not foreseeable that this proposal will have a negative

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

impact upon, or result in a need for new or altered any parks or other recreational facilities. Strategies for encouraging stormwater retention may encourage additional urban parks and recreational facilities.

- e. Maintenance of public facilities, including roads?
Answer: Yes

The proposal will result in the need for increased maintenance of public facilities and, specifically, stormwater treatment and/or diversion facilities or structural BMPs. Non-structural BMPs, such as increased storm drain catch basin cleanings and improved street cleaning, would require additional road maintenance as well. While these requirements may result in increases in maintenance costs, any increase will be outweighed by the resulting overall improvement in water quality and protection of human health. Nevertheless, an increased cost of maintenance is not an "environmental" impact that involves a change in the physical environment.

- f. Other governmental services?
Answer: Yes.

The proposal will result in the need for increased monitoring in Calleguas Creek, its tributaries and Mugu Lagoon to track compliance with the TMDL. Non-structural BMPs, such as education and outreach, would result in the need for new or altered governmental services. In addition, as described in 14.e., additional maintenance would be required for street sweeping and structural BMP maintenance. Nevertheless, these types of alterations to governmental services are not "environmental" impacts that involve a change in the physical environment.

15. Energy

- a. Will the proposal result in use of substantial amounts of fuel or energy?
Answer: No

The proposed Basin Plan Amendment should not result in the use of substantial amounts of fuel or energy, or a substantial increase in demand upon existing sources of energy, or require the development of new sources of energy, because the foreseeable means of compliance rely primarily on BMP rather than treatment system that would require substantial amounts of fuel or energy.

- b. Will the proposal result in substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?
Answer: No

The proposed Basin Plan Amendment should not result in the use of substantial amounts of fuel or energy, or a substantial increase in demand upon existing sources of energy, or require the development of new sources of energy, because the foreseeable means of compliance rely primarily on BMP rather than treatment system that would require substantial increase in demand upon existing sources of energy, or require the development of new sources of energy.



IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

16. Utilities and Service Systems. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

- a. Power or natural gas?
Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. It is not foreseeable that this proposal will result in a substantial increase need for new systems, or substantial alterations to power or natural gas utilities.

- b. Communications systems?
Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. It is not foreseeable that this proposal will result in a need for new systems, or substantial alterations to communications systems.

- c. Water?
Answer: Maybe

A reduction or elimination of irrigation water containing high selenium concentration and providing alternative water supply might be required to achieve final load allocations. However the need of alternative water supply can be minimized by using BMPs such as cover crops to increase infiltration, reduce surface runoff of water and evaporation from soil surfaces, and result in no or little net change in irrigation water needs.

- d. Sewer or septic tanks?
Answer: No

This proposal sets waste load and load allocations to protect the beneficial uses of waters of the state. Septic systems were not identified as a significant source of metals impairing Calleguas Creek or Mugu Lagoon. It is not foreseeable that this proposal will result in a need for new systems, or substantial alterations to sewer or septic tanks.

- e. Storm water drainage?
Answer: Yes

In order to achieve compliance with the TMDL, storm water drainage systems may need to be retrofitted with structural BMPs or re-configured to divert and/or capture and treat a portion of storm water. These alterations will have a positive environmental impact with the resulting reduced pollutant loads from urban and storm water runoff. The construction of these retrofits, however could have significant short-term impacts that can be mitigated by standard construction methods.

- f. Solid waste and disposal?

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

Answer: Maybe

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, best management practices, and pollution prevention. To the extent that BMPs collect sediment which contain metals concentrations in excess of regulatory concentrations in excess of regulated concentrations, these sediments may be subject to solid or hazardous waste disposal requirements. It is not foreseeable that this proposal will result in a need for new systems, or substantial alterations to solid waste and disposal utilities.

17. Human Health

- a. Will the proposal result in creation of any health hazard or potential health hazard (excluding mental health)?

Answer: Maybe

The implementation of storm water detention and treatment BMPs could create a potential health hazard if facilities are not properly maintained to include vector (mosquito) control. This potential adverse impact can be mitigated by designing systems that minimize stagnant water conditions and/or by requiring oversight and treatment of those systems by vector control agencies.

- b. Will the proposal result in exposure of people to potential health hazards?

Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. Foreseeable methods of compliance include advanced treatment of waste effluents, BMPs, and pollution prevention. Human health impacts from maintaining stormwater BMPs and treatment operations can be mitigated through standard industrial hygiene practices such as protective skin barriers and respirators. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined. It is not foreseeable that this proposal will result in exposure of people to potential health hazards (other than those identified in 17.a.).

18. Aesthetics

- a. Will the proposal result in the obstruction of any scenic vista or view open to the public?

Answer: No

This proposal sets wasteload and load allocations to protect the beneficial uses of waters of the state. It is not foreseeable that this proposal will result in the obstruction of any scenic vista or view open to the public. Projects may be located so as to avoid potential impacts to scenic vistas.

- b. Will the proposal result in the creation of an aesthetically offensive site open to public view?

Answer: Maybe

Depending on the implementation strategy chosen, the proposal may result in the installation of storage, diversion or treatment facilities and structural BMPs for storm water that could be

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IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

aesthetically offensive if not properly designed, sited, and maintained. However, many structural BMPs are designed to provide habitat, recreational areas, and green spaces in addition to improving storm water quality. Standard architectural and landscape architectural practices can be implemented to reduce impacts from aesthetically offensive structural impacts. Screening and landscaping may be used to mitigate aesthetic effects. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined.

19. Recreation

- a. Will the proposal result in impact on the quality or quantity of existing recreational opportunities?
Answer: Maybe

Many parks are integrating stormwater BMPs as part of the aesthetic and architectural features of the sites. The environmental impacts can be mitigated through construction BMPs and siting, planning and design practices that minimize environmental impacts. Applicable and appropriate mitigation measures will be evaluated when specific projects are determined. Also see 14.d.

20. Archeological/Historical

- a. Will the proposal result in the alteration of a significant archeological or historical site structure, object or building?
Answer: No

Implementation of the proposed Basin Plan amendment is unlikely to impact a significant archeological or historical site structure, object or building. Any potential impact to archeological and/or historical resources by the construction of new treatment facilities can only be determined by a project-level EIR once the location of any such facility has been determined. The agencies responsible for implementing this TMDL should consult the relevant local archeological or historical commissions or authorities to determine ways to avoid significant adverse impacts to any such structures, if implementation is proposed that would affect them.

21. Mandatory Findings of Significance

The implementation of this Basin Plan amendment will result in improved water quality in the waters of the Region and will have significant positive impacts to the environment over the long term. Specific projects employed to implement the Basin Plan amendment may have adverse significant impacts to the environment, but these impacts are expected to be limited, short-term or may be mitigated through design and scheduling. The initial study for the Basin Plan amendment and this checklist provide the necessary information pursuant to Public Resources Code section 21159 to conclude that properly designed and implemented BMPs or treatment systems will not have a significant adverse effect on the environment. Any of the potential impacts could be mitigated at the subsequent project level phase because it would develop the design of a specific BMP or treatment system. Board staff will develop guidelines specifying which BMPs or treatment systems will not have potential impact beyond the stated intent to improve the water quality of the discharge from irrigated lands. At this stage, any conclusions would be speculative.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

Specific projects, which may have a significant impact, would be subject to a separate environmental review. The lead agency for subsequent projects would be obligated to mitigate any impacts they identify, for example by mitigating potential flooding impacts by designing the BMPs with adequate margins of safety.

V. DETERMINATION

The implementation of this TMDL will result in improved water quality in Calleguas Creek, its tributaries, and Mugu Lagoon, but it may result in temporary or permanent localized significant adverse impacts to the environment. Specific projects employed to implement the TMDL may have significant impacts, but these impacts are expected to be limited, short-term or may be mitigated through design and scheduling. The staff report for the TMDL and this checklist provide the necessary information pursuant to Public Resources Code section 21159 to conclude that properly designed and implemented BMPs or treatment systems would not have a significant adverse effect on the environment and all agencies responsible for implementing the TMDL should ensure that their projects are properly designed and implemented. Any of the potential impacts would need to be mitigated at a subsequent, project level because they would involve the design of a specific BMP or treatment system. At this stage, any more particularized conclusions would be speculative.

Specific projects, which may have a significant impact, would be subject to a separate environmental review. The lead agency for subsequent projects would be obligated to mitigate any impacts they identify, for example by mitigating potential flooding impacts by designing the BMPs with adequate margins of safety. To the extent the alternatives, mitigation measures, or both, are not deemed feasible by those agencies, the necessity of implementing the federally required TMDL and removing the metals and selenium impairments from Calleguas Creek, its tributaries, and Mugu Lagoon (an action required to achieve the express, national policy of the Clean Water Act) outweigh the unavoidable adverse environmental effects.

In accordance with Pub. Res. Code, § 15091, the Regional Board finds that although the proposed project could have significant effect on the environment, revisions in the project, to avoid or substantially lessen the impacts, can and should be made by or agreed to by the project proponents. This finding is supported by the evidence provided in the impact evaluation section of this document, which indicates that all foreseeable impacts are either short-term or can be readily mitigated.

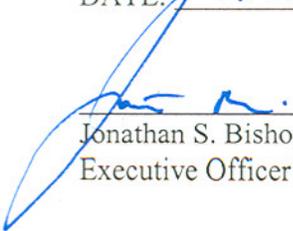
On the basis of this initial evaluation and staff report for the TMDL, which collectively provide the required information:

I find the proposed Basin Plan amendment could not have a significant effect on the environment.

I find that the proposed Basin Plan amendment could have a significant adverse effect on the environment. However, there are feasible alternatives and/or feasible mitigation measures that would substantially lessen any significant adverse impact. These alternatives are discussed above and in the staff report for the TMDL.

I find the proposed Basin Plan amendment may have a significant effect on the environment. There are no feasible alternatives and/or feasible mitigation measures available which would substantially lessen any significant adverse impacts. See the attached written report for a discussion of this determination.

DATE: 3/30/06



Jonathan S. Bishop
Executive Officer

California Environmental Protection Agency

