



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 (Regional Board) is the Lead Agency for evaluating the environmental impacts of the proposed amendment to the *Water Quality Control Plan Los Angeles Region* (Basin Plan). The proposed amendment will modify the copper criteria for lower Calleguas Creek and Mugu Lagoon.

The Secretary of Resources has certified the State and Regional Boards' 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 Basin Plan Amendments, 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 technical report entitled “Proposed Amendments to the Water Quality Control Plan to Incorporate a Water Effects Ratio (WER) for Copper in the Lower Calleguas Creek and in Mugu Lagoon (Calleguas Creek Watershed, Ventura County)” (Staff Report), 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.

I. DESCRIPTION OF PROPOSED ACTIVITY

The Water Quality Control Plan Los Angeles Region (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 California Toxics Rule (CTR) contains additional objectives (“water quality criteria”), established by the United States Environmental Protection Agency (US EPA) to protect aquatic life and human health beneficial uses. The proposed amendment would incorporate into the Basin Plan a site-specific Water Effect Ratio (WER) which will modify the copper objectives, specified in the CTR, for lower Calleguas Creek and Mugu Lagoon in the Calleguas Creek watershed in Ventura County. The two reaches affected are 1) Mugu Lagoon (reach 1); and 2) Mugu Lagoon (reach 2 (estuary to Potrero Road)). The WER would be applied as a multiplier to the existing CTR copper criteria. The CTR includes a numerical threshold (criteria) multiplied by a water-effect ratio (WER) which was set at the default ratio of one. If approved, the site-specific WER would modify the current acute (one-hour average) and chronic (4-day average) copper objectives for these inland surface waters.

On June 8, 2006, the Regional Board adopted a Total Maximum Daily Load (TMDL) for metals in Calleguas Creek, its tributaries, and Mugu Lagoon. The copper WERs discussed in this checklist and in the Staff Report were developed as the TMDL was developed. However, peer review of the WER development was not complete until after the adoption of the TMDL, therefore a separate CEQA checklist and public comment period and Board adoption are required for the copper WER. The Regional Board has considered potential environmental impacts arising from the reasonably foreseeable means of compliance with the TMDL in the detailed technical reports entitled “Total Maximum Daily Load for metals in Calleguas Creek, its tributaries, and Mugu Lagoon.” and in its accompanying CEQA checklist.

The TMDL report identifies the reasonably foreseeable methods of compliance. As established in the technical report, response to comments, hearings, and the administrative record for the TMDL, 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's goal in adopting the site-specific WERs for Lower Calleguas Creek and Mugu Lagoon is to ensure the most appropriate copper standards apply to those waterbodies. The POTWs discharging to these waterbodies are expected to be the primary parties required to comply with the revised objectives. If adopted, the copper WER would be reflected in revised effluent and receiving water limitations for the affected POTWs and waterbody reaches.

The WER will allow increased concentrations of copper in the Lower Calleguas Creek and Mugu Lagoon. Therefore, compliance with this amendment will not require additional pollution prevention, sediment removal, new technologies or new or expanded facilities.

II. GENERAL ENVIRONMENTAL COMMENTS

The detailed environmental setting and authority for both the Calleguas Creek watershed metals TMDL and the proposed amendment to incorporate a Water Effects Ratio (WER) for Copper in the Lower Calleguas Creek and in Mugu Lagoon are set forth in the detailed technical reports prepared by Larry Walker Associates (LWA) on behalf of the Calleguas Creek Watershed Management Plan (CCWMP). The reports are entitled "Total Maximum Daily Load for metals in Calleguas Creek, its tributaries, and Mugu Lagoon" and "Calleguas Creek Watershed Copper Water-Effects Ratio (WER) Study." These reports identify the environmental setting and need for the project.

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 requires the Regional Board to conduct a program-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).)



Environmental Impacts

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
1.	Earth. Will the proposal result in:				
	a. Unstable earth conditions or in changes in geologic substructures?				X
	b. Disruptions, displacements, compaction or overcoming of the soil?				X
	c. Change in topography or ground surface relief features?				X
	d. The destruction, covering or modification of any unique geologic or physical features?				X
	e. Any increase in wind or water erosion of soils, either on or off the site?				X
	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?				X
	g. Exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards?				X
2.	Air. Will the proposal result in:				
	a. Substantial air emissions or deterioration of ambient air quality?				X
	b. The creation of objectionable odors?				X
	c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?				X

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
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?				X
	b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff?				X
	c. Alterations to the course of flow of flood waters?				X
	d. Change in the amount of surface water in any water body?				X
	e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?			X	
	f. Alteration of the direction or rate of flow of ground waters?				X
	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?				X
	h. Substantial reduction in the amount of water otherwise available for public water supplies?				X
	i. Exposure of people or property to water related hazards such as flooding or tidal waves?				X
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)?				X
	b. Reduction of the numbers of any unique, rare or endangered species of plants?				X

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
	c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?				X
	d. Reduction in acreage of any agricultural crop?				X
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)?				X
	b. Reduction of the numbers of any unique, rare or endangered species of animals?				X
	c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?				X
	d. Deterioration to existing fish or wildlife habitat?				X
6.	Noise. Will the proposal result in:				
	a. Increases in existing noise levels?				X
	b. Exposure of people to severe noise levels?				X
7.	Light and Glare. Will the proposal:				
	a. Produce new light or glare?				X
8.	Land Use. Will the proposal result in:				
	a. Substantial alteration of the present or planned land use of an area?				X
9.	Natural Resources. Will the proposal result in:				
	a. Increase in the rate of use of any natural resources?				X
	b. Substantial depletion of any nonrenewable natural resource?				X

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
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?				X
11.	Population. Will the proposal:				
	a. Alter the location, distribution, density, or growth rate of the human population of an area?				X
12.	Housing. Will the proposal:				
	a. Affect existing housing, or create a demand for additional housing?				X
13.	Transportation/Circulation. Will the proposal result in:				
	a. Generation of substantial additional vehicular movement?				X
	b. Effects on existing parking facilities, or demand for new parking?				X
	c. Substantial impact upon existing transportation systems?				X
	d. Alterations to present patterns of circulation or movement of people and/or goods?				X
	e. Alterations to waterborne, rail or air traffic?				X
	f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?				X
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?				X
	b. Police protection?				X

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
	c. Schools?				X
	d. Parks or other recreational facilities?				X
	e. Maintenance of public facilities, including roads?				X
	f. Other governmental services?				X
15.	Energy. Will the proposal result in:				
	a. Use of substantial amounts of fuel or energy?				X
	b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?				X
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?				X
	b. Communications systems?				X
	c. Water?				X
	d. Sewer or septic tanks?				X
	e. Storm water drainage?				X
	f. Solid waste and disposal?				X
17.	Human Health. Will the proposal result in:				
	a. Creation of any health hazard or potential health hazard (excluding mental health)?				X
	b. Exposure of people to potential health hazards?				X
18.	Aesthetics. Will the proposal result in:				
	a. The obstruction of any scenic vista or view open to the public?				X

III.	ENVIRONMENTAL CHECKLIST	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant	No Impact
	b. The creation of an aesthetically offensive site open to public view?				X
19.	Recreation. Will the proposal result in:				
	a. Impact upon the quality or quantity of existing recreational opportunities?				X
20.	Archeological/Historical. Will the proposal:				
	a. Result in the alteration of a significant archeological or historical site structure, object or building?				X
21.	Mandatory Findings of Significance				
	Potential to degrade: 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, 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?			X	
	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.)				X
	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.)			X	
	Substantial adverse: Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION

1. Earth. a. Will the proposal result in unstable earth conditions or in changes in geologic substructures?

Answer: No impact.

No impact is expected because the proposed amendment does not require any actions which could result in disruptions to earth.

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

Answer: No impact.

No impact is expected because the proposed amendment does not require any actions which could result in disruptions displacements, compaction or overcoming of the soil.

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

Answer: No impact.

No impact is expected because the proposed amendment does not require any actions which could result in changes in topography or surface relief features.

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

Answer: No impact.

No impact is expected because the proposed amendment does not require any actions which could result in destruction, covering or modification of any unique geologic or physical features.

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

Answer: No impact.

No impact is expected because the proposed amendment does not require any actions which could result in building anything on the surface of the land that will alter wind patterns, nor does it result in any disruptions to the earth that would lead to increased erosion of soils.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

1. Earth. 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: No impact.

No impact is expected because the proposed amendment does not require any actions which could result in deposition or erosion of beach sands, or changes which could modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake.

1. Earth. 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 impact.

No impact is expected because the proposed amendment does not require any actions which could result in exposure of people or property to geologic hazards, such as earthquakes, landslides, mudslides, ground failure, or similar hazards.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in the construction of any mechanical devices that are pollution generating. It will also not result in increased population centers that would lead to increased automobile traffic.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in the in creation of objectionable odors.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

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: No impact.

The proposed amendment will not require any actions or require the construction of any structures in or above the water which would result in alterations of the currents, or the course of direction of the water.

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

Answer: No impact.

The proposed amendment will not require any actions or require the construction of any structures in or above the water which would result in alteration of the absorption rates, drainage patterns, or the rate and amount of surface runoff. In addition, the proposed amendment will not require that water entering the system be treated differently than it has prior to this amendment, e.g. additional treatment, diversion, etc.

3. Water. c. Will the proposal result in alterations to the course of flow of flood waters?

Answer: No impact.

The proposed amendment will not require any actions or require the construction of any structures in or above the water which would result in alterations to the course of flow of flood waters. In addition, the proposed amendment will not require that water entering the system be treated differently than it has prior to this amendment, e.g. additional treatment, diversion, etc.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in a change in the amount of surface water in any water body.

3. Water. 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: Less than significant impact

The proposed amendment will not require any actions which would result in any new discharge to surface waters, or in any alteration of surface water quality. The proposed amendment will not require that water entering the system be treated differently than it has prior to this amendment, e.g. additional treatment, diversion, etc. The proposed amendment will modify water quality copper objectives for lower Calleguas Creek and Mugu Lagoon. The use of a site-specific WER will allow for more copper

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

loading to the lower Calleguas Creek and Mugu Lagoon than the use of a default WER value. However, the same level of protection from toxicity is maintained.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in alteration of the direction or rate of flow of ground waters. The proposed amendment will not require that water entering the system be treated differently than it has prior to this amendment, e.g. additional treatment, diversion, etc.

3. Water. g. Will the proposal result in 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: No impact.

The proposed amendment will not require any actions which would result in the construction of any structures in or above the water that will change the quantity or quality of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations. In addition, it will not require that water entering the system be treated differently than it has prior to this amendment, e.g. additional treatment, diversion, etc.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in reduction in the amount of water otherwise available for public water supplies.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in exposure of people or property to water related hazards such as flooding or tidal waves.

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: No impact.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

The proposed amendment will not require any actions which would result any changes that will be detrimental to the biota living in or around the water and will not result in change in the diversity of species, or number of any species of plants.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in reduction of the numbers of any unique, rare or endangered species of plants.

4. Plant life. 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 impact.

The proposed amendment will not require any actions which would result in introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species.

4. Plant life. d. Will the proposal result in reduction in acreage of any agricultural crop?

Answer: No impact.

The proposed amendment will not result in reduction in acreage of any agricultural crop.

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: No impact.

The proposed amendment will not require any actions which would result in a change in the diversity of species, or numbers of any species of animals.

5. Animal Life. b. Will the proposal result in reduction of the numbers of any unique, rare or endangered species of animals?

Answer: No impact.

The proposed amendment will not require any actions which would result in reduction of the numbers of any unique, rare or endangered species of animals.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

5. Animal Life. 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 impact.

The proposed amendment will not require any actions which would result in introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals.

5. Animal Life. d. Will the proposal result in deterioration to existing fish or wildlife habitat?

Answer: No impact

The use of a site-specific WER will allow for more copper loading to the lower Calleguas Creek and Mugu Lagoon than the use of a default WER value. However, the same level of protection from toxicity is maintained. The proposed amendment will not result in water quality that is more toxic to animal life because the development in the WER takes into account the site-specific differences between the site water and the lab water used to develop the national criteria. The resulting WERs, developed per EPA protocols are deemed to be as protective of the site water as CTR was of the lab water used to develop the WER. These waterbodies will be monitored and if monitoring shows that the beneficial uses are not being achieved, then the WER may be re-evaluated to ensure that water quality standards and beneficial uses can be achieved.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in the development or increase in any devices that would increase noise, neither natural nor anthropogenic.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in the development or increase in any devices that would increase noise, neither natural nor anthropogenic

7. Light and Glare. Will the proposal produce new light or glare?

Answer: No impact.

The proposed amendment will not require any actions which would result in the development or increase in any devices that would increase light, neither natural nor anthropogenic.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

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

Answer: No impact.

The proposed amendment will not require any actions which would result in water quality changes that would lead to a change in landuse patterns. The amendment continues to support the same designated beneficial uses.

9. Natural Resources. a. Will the proposal result in increase in the rate of use of any natural resources?

Answer: No impact.

The proposed amendment will not require any actions which would result in increase in the rate of use of any natural resources.

9. Natural Resources. a. Will the proposal result in substantial depletion of any nonrenewable natural resource?

Answer: No impact.

The proposed amendment will not require any actions which would result in depletion of any nonrenewable natural resource.

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: No impact.

The proposed amendment will not require any actions which would result in the development or increase in any devices that would lead to an increased risk of an explosion or the release of hazardous substances

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

Answer: No impact.

The proposed amendment will not require any actions which would result in alterations to the location, distribution, density, or growth rate of the human population of an area.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

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

Answer: No impact.

The proposed amendment will not require any actions which would affect existing housing, or create a demand for additional housing.

13. Transportation/Circulation. a. Will the proposal result in generation of substantial additional vehicular movement?

Answer: No impact.

The proposed amendment will not result in generation of substantial additional vehicular movement nor lead to a change in landuse patterns that would lead to a change in transportation or circulation.

13. Transportation/Circulation. b. Will the proposal result in effects on existing parking facilities, or demand for new parking?

Answer: No impact.

The proposed amendment will not require any actions which would have an effect on existing parking facilities, or demand for new parking.

13. Transportation/Circulation. c. Will the proposal result in substantial impact upon existing transportation systems?

Answer: No impact.

The proposed amendment will not require any actions which would result in impact upon existing transportation systems.

13. Transportation/Circulation. d. Will the proposal result in alterations to present patterns of circulation or movement of people and/or goods?

Answer: No impact.

The proposed amendment will not require any actions which would result in alterations to present patterns of circulation or movement of people and/or goods nor change in landuse patterns that would lead to a change in circulation or movement.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

13. Transportation/Circulation. e. Will the proposal result in alterations to waterborne, rail or air traffic?

Answer: No impact.

The proposed amendment will not require any actions which would result in alterations to waterborne, rail or air traffic.

13. Transportation/Circulation. f. Will the proposal result in increase in traffic hazards to motor vehicles, bicyclists or pedestrians?

Answer: No impact.

The proposed amendment will not require any actions which would result in traffic hazards to motor vehicles, bicyclists or pedestrians.

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

Answer: No impact.

The proposed amendment will not require any actions which would have an effect upon, or result in a need for new or altered fire protection.

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

Answer: No impact.

The proposed amendment will not require any actions which would have an effect upon, or result in a need for new or altered police protection.

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

Answer: No impact.

The proposed amendment will not require any actions which would have an effect upon, or result in a need for new or altered schools.

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

Answer: No impact.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

The proposed amendment will not require any actions which would have an effect upon, or result in a need for new or altered parks.

14. Public Service. e. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas: maintenance of public facilities, including roads?

Answer: No impact.

The proposed amendment will not require any actions which would have an effect upon, or result in a need for new or altered public facilities, roads.

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

Answer: No impact.

The proposed amendment will not require any actions which would have an effect upon, or result in a need for any new or altered other government services.

15. Energy. a. Will the proposal result in use of substantial amounts of fuel or energy?

Answer: No impact.

The proposed amendment will not require any actions which would result in the development or increase in any devices that would increase of energy consumption.

15. Energy. b. Will the proposal result in a substantial increase in demand upon existing sources of energy, or require the development of new sources of energy.

Answer: No impact.

The proposed amendment will not require any actions which would result in the development of new devices that would increase of energy consumption or that would require development of new sources of energy.

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

Answer: No impact.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

The proposed amendment will not require any actions which would result in a need for new systems, or substantially alter power or natural gas utilities.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in a need for new communication systems, or substantially alter communication systems.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in a need for new water systems, or substantially alter water systems.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in a need for new sewers or septic tanks or that would lead to a change in landuse patterns that would lead to a change in demand for sewers or septic tanks.

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

Answer: No impact.

The proposed amendment will not require any actions which would result in a need for new storm water drainage systems or that would lead to a change in landuse patterns that would lead to a change in stormwater drainage.

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

Answer: No impact.



IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

The proposed amendment will not require any actions which would result in a need for new solid waste disposal or that would lead to a change in landuse patterns that would lead to a change in demand for solid waste disposal.

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

Answer: No impact.

The proposed amendment will not require any actions which would create any health hazard or potential health hazard. The proposed basin plan amendment requires criteria according to the California Toxics Rule that protect human health.

17. Human Health. b. Will the proposal result in exposure of people to potential health hazards?

Answer: No impact.

The proposed amendment will not require any actions which would expose people to potential health hazards.

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

Answer: No impact.

No impact is expected because the proposed amendment does not require any actions that would result in building anything on the surface of the land that would obstruct any scenic vista or view open to the public.

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

Answer: No impact.

No impact is expected because the proposed amendment does not require any actions that would result in building anything on the surface of the land that would create an aesthetically offensive site open to public view.

19. Recreation. a. Will the proposal result in impact on the quality or quantity of existing recreational opportunities?

Answer: No impact.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

Implementation of the proposed amendment will have no negative impact on the quality and quantity of recreational opportunities. The proposal will have a beneficial impact by protecting aquatic life-related beneficial uses.

20. Archeological/Historical. a. Will the proposal result in the alteration of a significant archeological or historical site structure, object or building?

Answer: No impact.

Implementation of the proposed amendment is unlikely to impact a significant archeological or historical site structure, object or building because the proposed amendment does not require the construction or alteration of anything on land or water.

21. Mandatory Findings of Significance.

Potential to degrade: 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, 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?

Answer: Less than significant

The goal of this amendment is to take into account site specific conditions in these two waterbodies, which have been shown to reduce the toxicity of copper to aquatic life, to modify the water quality objectives for copper applicable to these waters such that the objectives will be fully protective. Therefore, there will be no potential to 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.)

Answer: No impact

This amendment will ensure the protection of water quality over the long-term with the most appropriate objectives for the water body.

IV. DISCUSSION OF ENVIRONMENTAL EVALUATION (continued)

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.)

Answer: Less than significant

The goal of this amendment is to take into account site specific conditions in these two waterbodies, which have been shown to reduce the toxicity of copper to aquatic life, to modify the water quality objectives for copper applicable to these waters such that the objectives will be fully protective. Therefore, there will be no potential to have impacts which are individually limited, but cumulatively considerable.

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

Answer: No impact

This amendment will ensure the protection of water quality in lower Calleguas Creek and Mugu Lagoon and does not require any actions which would result in adverse effects on human beings.



V. DETERMINATION

The implementation of these copper WERs will result in more appropriate standards for copper for Lower Calleguas Creek and Mugu Lagoon.

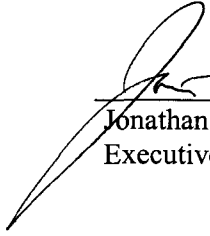
On the basis of this evaluation and Staff Report for the copper WERs, which collectively provide the required information:

Staff finds the proposed Basin Plan amendment could not have a significant effect on the environment.

Staff finds 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.

Staff finds 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: 8/29/06



Jonathan S. Bishop
Executive Officer