
Los Angeles Regional Water Quality Control Board

TO: Interested Persons

FROM: LB Nye 
Section Chief
REGIONAL PROGRAMS

DATE: December 11, 2019

SUBJECT: NOTICE OF PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO UPDATE THE BACTERIA WATER QUALITY OBJECTIVES FOR FRESH, ESTUARINE, AND MARINE WATERS DESIGNATED FOR WATER CONTACT RECREATION – BASED ON THE STATEWIDE BACTERIA PROVISIONS

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) will hold a public hearing to consider adopting amendments to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to update the bacteria water quality objectives for fresh, estuarine, and marine waters designated for water contact recreation.

I. BACKGROUND

The Basin Plan is the Los Angeles Water Board's water quality control plan for the coastal watersheds of Los Angeles and Ventura Counties. The Basin Plan contains the region's water quality standards, which consist of beneficial uses, water quality objectives to protect those uses, and an anti-degradation policy, along with a program of implementation, and non-regulatory descriptions of the region covered by the Basin Plan. Chapter 3 of the Basin Plan "Water Quality Objectives" contains water quality objectives to protect the beneficial uses of surface and ground waters in the region. The current bacteria water quality objectives for waters designated for water contact recreation (REC-1) were adopted in 2001 are based the California Code of Regulations, title 17, § 7958 "Bacteriological Standards" (Assembly Bill 411, Statutes of 1997) and U.S. EPA's 1986 recommended criteria pursuant to Federal Clean Water Act § 304(a), published in "Ambient Water Quality Criteria for Bacteria – 1986" (U.S. EPA, 1986).

On August 7, 2018, the State Water Resources Control Board (State Water Board) adopted statewide bacteria provisions containing updated bacteria water quality objectives for water contact recreation (REC-1) in fresh, estuarine, and marine (ocean) waters. These objectives are based on the United States Environmental Protection Agency's (EPA's) more recent 2012 recommended CWA Section 304(a) criteria for bacteria to protect primary contact recreation in coastal and non-coastal waters. These provisions were developed to establish consistent water quality objectives for California's waters, and to provide Regional Water Boards with tools and

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direction in addressing specific issues related to applying the statewide numeric bacteria water quality objectives. The statewide provisions supersede all existing numeric bacteria objectives for REC-1 in the nine Regional Water Boards' Basin Plans. They were approved by the Office of Administrative Law on February 4, 2019 and by U.S. EPA on March 22, 2019 and are now in effect. Therefore, the bacteria water quality objectives for water contact recreation (REC-1) in the Los Angeles Region's Basin Plan are no longer applicable.

The proposed amendment to the Basin Plan for the Los Angeles Region will update the water quality objectives for bacteria, that are applied to fresh, estuarine and marine waters designated for water contact recreation (REC-1), by removing the current objectives and replacing them with those provided in the statewide provisions. This action will be consistent with the intent of the statewide provisions and will avoid any misperceptions as to which REC-1 numeric objectives for bacteria are applicable in the Los Angeles Region.

II. PUBLIC HEARING DATE AND LOCATION

The Los Angeles Water Board will hold a public hearing to consider amending the Basin Plan to update the bacteria water quality objectives for fresh, estuarine, and marine waters designated for water contact recreation (REC-1), after hearing Board staff's presentation and public comments. The Los Angeles Water Board is expected to take formal action on the proposed amendments to administratively update the Basin Plan. The Board is scheduled to consider this matter at its regularly scheduled board meeting on:

Date: Thursday, February 13, 2020

Time: 9:00 AM

Place: Council Chambers, City of Simi Valley
2929 Tapa Canyon Road
Simi Valley, CA 93063

Please check the Los Angeles Water Board's website at:

<https://www.waterboards.ca.gov/losangeles/> for the most up-to-date public hearing date and location as they are subject to change. If there is not a quorum on the scheduled date of the public hearing, all items will be automatically continued to the next scheduled meeting. A continuance of the hearing will not automatically extend any deadlines set forth in this notice. The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Theresa Rodgers at (213) 576-6789 or Theresa.Rodgers@waterboards.ca.gov at least five working days prior to the meeting.

III. SCOPE OF HEARING

Interested persons may present relevant written and oral comments and evidence on the proposed Basin Plan amendments. Please be advised that comments or evidence concerning the appropriateness of any previously adopted Basin Plan amendment are not relevant to this action and will not be accepted or responded to. Comments shall be limited to the proposed update of the bacteria water quality objectives for fresh, estuarine, and marine waters designated for water contact recreation (REC-1).

IV. AVAILABILITY OF DOCUMENTS

The draft tentative resolution, Basin Plan Amendment, and staff memo are available on the Los Angeles Water Board's website at:

https://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/.

These documents are also available for inspection and copying between the hours of 8:00 AM and 4:30 PM at the following address:

California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of documents may be made by calling the Los Angeles Water Board at (213) 576-6600. Appointments are encouraged so the documents can be readily available upon arrival. Comments and responses to comments and other subsequent relevant documents will be available online as they are generated.

V. PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE

Persons wishing to comment on the draft tentative resolution, Basin Plan amendment, and staff memo, or submit evidence, for the Los Angeles Water Board to consider are invited to submit them in writing. To be evaluated and responded to by Board staff, included in the Board's agenda binder, and fully considered by the Board members in advance of the hearing, all written comments and evidence must be received by the Board **no later than 5:00 PM on January 27, 2020**. Untimely submittal of written comments will not be accepted or responded to by the Los Angeles Water Board.

Interested persons are encouraged to submit comments electronically to losangeles@waterboards.ca.gov with the subject line "**Comment Letter - Update to Basin Plan REC-1 Bacteria Water Quality Objectives**", with a copy to Ginachi.Amah@waterboards.ca.gov. Written comments submitted through email are requested to be transmitted in Microsoft Word format. Where electronic submittal is not feasible, comments should be submitted to:

California Regional Water Quality Control Board
Los Angeles Region
Attn: Dr. Ginachi Amah
320 W. 4th Street, Suite 200
Los Angeles, CA 90013

Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 649.4, Title 23 of the California Code of Regulations.

Interested persons are also invited to attend the hearing and present oral comments to the Board. To the extent possible, oral presentations should summarize any submitted written comments and evidence. Oral comments are generally limited to 3 minutes each, but time limitations may be adjusted at the discretion of the Chair, depending on the number of persons wishing to be heard and other items before the Board. Interested persons seeking more than 3 minutes to present oral comments at the hearing must contact the Los Angeles Water Board staff contact identified below by **January 31, 2020** to request additional time.

The State Water Board when considering approval of a regional water board's adoption of Basin Plan amendments may refuse to accept any comments that were not timely raised before the Regional Water Board. Therefore, interested persons are strongly encouraged to make all comments on this proposed action to the Los Angeles Water Board before or during the public hearing.

VI. FUTURE NOTIFICATIONS FROM

Any person desiring to receive future notices from the State Water Board regarding its approval process for the proposed amendments must sign up for the State Water Board's Lyris list at:

https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html

VII LOS ANGELES WATER BOARD STAFF CONTACTS

For additional information regarding this proposed action, please contact Dr. Ginachi Amah at Ginachi.Amah@waterboards.ca.gov or (213) 576-6685.