

**State of California**  
**California Regional Water Quality Control Board, Los Angeles Region**

**RESOLUTION NO. R03-008**

**July 10, 2003**

**Amendment to the Water Quality Control Plan (Basin Plan) for the Los Angeles Region to Incorporate a Total Maximum Daily Load for Chloride in the Upper Santa Clara River**

**WHEREAS:**

1. The California Regional Water Quality Control Board Los Angeles Region (Regional Board) adopted a revised Basin Plan for the Los Angeles Region on June 13, 1994 which was approved by the State Water Resources Control Board (SWRCB) on November 17, 1994 and by the Office of Administrative Law (OAL) on February 23, 1995.
2. Section 303(d) of the Clean Water Act requires states to identify and to prepare a list of water bodies that do not meet water quality standards and then to establish load and waste load allocations, or a total maximum daily load (TMDL), for each water body that will ensure attainment of water quality standards and then to incorporate those allocations into their water quality control plans. Two reaches of the Santa Clara River near the City of Santa Clarita ("Upper Santa Clara River") were listed on California's 1998 section 303(d) list, due to impairment by chloride, which is present at levels that exceed the water quality objective.
3. Regional Board staff prepared a TMDL analysis and the associated documents to address the chloride impairment of the Upper Santa Clara River. The documents were issued for peer and public review. At a public hearing on October 24, 2002, the Regional Board adopted Resolution No. R02-018 amending the Basin Plan to incorporate a TMDL for chloride in the Upper Santa Clara River.
4. A Basin Plan amendment does not become effective until approved by the SWRCB and until the regulatory provisions are approved by the OAL and USEPA.
5. On February 19, 2003, the SWRCB adopted SWRCB Resolution 2003-0014 (the "Remand Resolution") finding that the Regional Board staff prepared the documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act, scientific peer review, and other State laws and regulations to develop a TMDL.

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6. In the Remand Resolution, the SWRCB also found that provisions of the amendment as adopted by the Regional Board warranted minor clarification of the language of various provisions. Regional Board Resolution No. R02-018 delegates to the Regional Board Executive Officer authority to make minor, non-substantive corrections to the adopted amendment if needed for clarity or consistency. The Regional Board Executive Officer made the necessary corrections to the amendment.
7. In the Remand Resolution, the SWRCB further found that the amendment as corrected does not adequately resolve issues regarding the appropriateness of the compliance time schedules for implementation tasks. Consequently, the SWRCB remanded to the Regional Board the amendment to the Basin Plan to incorporate a TMDL for chloride for the Upper Santa Clara River.
8. The Remand Resolution directed the Regional Board to consider:
  - a. Expansion of the current phased TMDL approach so that County Sanitation Districts of Los Angeles County can complete their implementation tasks by Regional Board-specified dates sequentially and within 13 years of the effective date of the TMDL. If advanced treatment facilities and disposal facilities are found to be necessary for compliance with the TMDL, the Regional Board may consider extending the implementation schedule as necessary to account for events beyond the control of the County Sanitation Districts of Los Angeles County.
  - b. Extension of the interim effluent limits beyond the currently proposed 2½ years so that these limits may remain in effect during the planning, construction and execution portions of the TMDL's implementation tasks.
  - c. Whether provision of a long-term alternate water supply to agricultural diverters of surface water by the County Sanitation Districts of Los Angeles County would be appropriate; and consider re-evaluation of the agricultural water quality objective and the agricultural beneficial use designation if such alternate supply is provided. The re-evaluation of the alternative water supply should consider re-examining and modifying the trigger and compliance schedule for providing the alternative water supply. The Regional Board's re-evaluation of the objective should consider accounting for the beneficial use(s) to be protected, the quality of the imported water supply to the Upper Santa Clara River watershed and the impacts of periods of drought or low rainfall.
  - d. An integrated solution, which may be a single comprehensive TMDL, for all water quality pollutants in the Santa Clara River basin listed on the Clean Water Act section 303(d) list.

9. Regional Board staff considered the State Board recommendations contained in the Remand Resolution and evaluated options for amending the Implementation Plan in consideration of the remand. The evaluations and recommendations of Regional Board staff are provided in a memo to file entitled, "Options Considered for Revision of Remanded Upper Santa Clara River Chloride TMDL" dated March 27, 2003. The results of Regional Board staff evaluation are shown in the redline version of Attachment A.
10. Since adoption of the Upper Santa Clara Chloride TMDL, the Regional Board, County Sanitation Districts of Los Angeles County, and the City of Santa Clarita have been proactively pursuing chloride source reduction. Specifically, the agencies have conducted extensive public outreach and County Sanitation Districts of Los Angeles County has enacted an ordinance banning the installation of self-regenerating water softeners.
11. At a public hearing on July 10, 2003, the Regional Board reconsidered Resolution No. R02-018 in light of the Remand Resolution.
  - a. The Regional Board expanded the phased-TMDL approach adopted by the Regional Board in Resolution R02-018 to allow County Sanitation Districts of Los Angeles County (CSDLAC) to complete the implementation tasks sequentially and within 13 years. Specifically, the due date of Task 9, (Evaluation of Alternative Water Supplies for Agricultural Beneficial Uses) is extended to 4 years after the effective date of the TMDL. This will allow the results of studies to be conducted under tasks 3, 4 and 5 of the Implementation Plan (Ground/Surface Water Interaction Model, Chloride Source Identification/Reduction Pollution Prevention and Public Outreach Plan, and Evaluation of Appropriate Chloride Threshold for the Protection of Sensitive Agricultural Supply Use and Endangered Species Protection) to be considered before Task 9 is completed. The issues of beneficial uses, quality of imported water and impacts of periods of drought or low rainfall will be analyzed in Tasks 3, 4 and 5, which are due two years after the effective date of the TMDL. Table 7-6.2 was revised to reflect these schedule modifications.
  - b. The Regional Board extended the currently proposed 2-1/2 years period for interim effluent limits so that the interim limits may remain in effect during the planning, construction, and execution portions of the TMDL's implementation tasks. Further, the Regional Board evaluated recent discharge data and a revision of the interim limit proposed by CSDLA, but did not find sufficient change in the performance data to justify a revision of the interim limit value. Table 7-6.1 was revised to explicitly state that the interim limit remains in effect during the planning, construction, and execution portion of the TMDL's implementation tasks, a period not to extend beyond 13 years from the effective date of the TMDL. Table 7-6.2, was modified to remove the 2-1/2 year period for interim effluent limits.

c. The Regional Board considered whether a long-term alternate water supply to agricultural diverters would be appropriate. The Regional Board modified the task for Evaluation of Alternative Water Supplies for Agricultural Beneficial Uses to include this assessment. Task 9 of Table 7-6.2 has been modified to reflect this additional analysis.

d. The Regional Board chose not to incorporate the chloride TMDL into a single comprehensive TMDL addressing all water quality impairments of the Santa Clara River on the 303(d) list. The forthcoming nutrient TMDL for the Santa Clara River has undergone extensive development work and is scheduled to be finalized in 2003. The chloride and forthcoming nitrogen TMDLs address most of the water quality impairments on the 303(d) list for the Santa Clara River.

12. In all other respects, the findings and provisions of Regional Board Resolution R02-018 remain valid and are carried forward. The revisions to the Basin Plan Amendment to incorporate a TMDL for chloride in the Upper Santa Clara River adopted by Resolution R02-018 are shown in attachment A.
13. The revisions proposed to address the Remand Resolution do not alter the environmental analysis, necessity conclusion, and de minimis findings of Regional Board Resolution R02-018.

**THEREFORE, be it resolved that pursuant to sections 13240 and 13242 of the Water Code, the Regional Board hereby amends the Basin Plan as follows:**

1. Pursuant to sections 13240 and 13242 of the California Water Code, the Regional Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the amendment to Chapter 7 of the Water Quality Control Plan for the Los Angeles Region to incorporate the elements of the Upper Santa Clara River Chloride TMDL as set forth in Attachment A hereto.
2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Board in accordance with the requirements of section 13245 of the California Water Code.
3. The Regional Board requests that the State Board approve the Basin Plan amendment in accordance with the requirements of sections 13245 and 13246 of the California Water Code and forward it to OAL and the USEPA.

4. If during its approval process the State Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.
5. The Executive Officer is authorized to sign a Certificate of Fee Exemption.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on July 10, 2003.



Dennis A. Dickerson  
Executive Officer