

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – LOS ANGELES REGIONAL WATER BOARD
MAY 20, 2014**

ITEM 4

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION APPROVING NON-REGULATORY AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO ADMINISTRATIVELY UPDATE CHAPTER 3 “WATER QUALITY OBJECTIVES” BY INCORPORATING PREVIOUSLY ADOPTED AMENDMENTS AND UPDATED TABLES

DISCUSSION

On May 2, 2013, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted [Resolution No. R13-003](#). This non-regulatory amendment administratively updates the Water Quality Control Plan for the Los Angeles Region (Basin Plan). Los Angeles Water Board Resolution No. R13-003 administratively updates Chapter 3 “Water Quality Objectives” by incorporating previously adopted Basin Plan amendments and updated tables.

Background

The *Water Quality Control Plan for the Los Angeles Region* (Basin Plan) is the Los Angeles Water Board’s master 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 plan. The current Basin Plan was adopted by the Los Angeles Water Board on June 13, 1994, and approved by the State Water Resources Control Board (State Water Board) on November 17, 1994 then by the State Office of Administrative Law (OAL) on February 23, 1995. Since then, several Basin Plan amendments have been adopted (and fully approved) and more current background and geographical information has become available; and, until recently, these changes were not reflected in the current Basin Plan.

Recognizing the importance of a current Basin Plan, an administrative update of the Basin Plan was identified as a priority project to be addressed during the 2008-2010 triennial review (Resolution No. R10-001), and again during the triennial review for 2011-2013 (Resolution No. R12-001). The administrative update is being conducted in phases. The first two phases, which updated Chapter 2 “Beneficial Uses” and added a Chapter 7 “Total Maximum Daily Loads” have been completed and were adopted by the State Water Board in August 2012. The current proposed amendment covers the administrative update of Chapter 3 of the Basin Plan. This non-regulatory amendment serves to enhance the utility of the Basin Plan by providing a more current documents for use by Los Angeles Water Board staff, the regulated community, and other stakeholders.

Update of Chapter 3 “Water Quality Objectives”

Chapter 3 “Water Quality Objectives” contains regional water quality objectives for inland surface waters and ground waters. These objectives are the numeric and narrative thresholds necessary to protect beneficial uses or maintain high quality water, and can be region-wide or site-specific.

The proposed administrative updates to Chapter 3 of the Basin Plan include the incorporation of language from sixteen previously adopted amendments to the water quality objectives. These include:

- (i) four amendments to the ammonia objectives (Regional Board Resolution Nos. R02-011, R04-022, R05-014, and R07-005);
- (ii) four amendments to the bacteria objectives (Regional Board Resolution Nos. R01-018, R02-022, and R10-005, and State Board Resolution No. 2005-0015);
- (iii) four amendments to the region’s mineral objectives (Regional Board Resolution Nos. R97-002, R03-015, R06-003, and R08-012);
- (iv) three amendments to the objectives for Floating Material and Solid, Suspended, or Settleable Materials (Regional Board Resolution Nos. R99-015, R01-014, and R07-012); and
- (v) one amendment to include implementation provisions for copper in the Calleguas Creek Watershed (Regional Board Resolution No. R06-022)

A seventeenth amendment concerning compliance schedules in NPDES permits (Regional Board Resolution No. R03-001) has since been superseded by State Water Resources Control Board Resolution No. 2008-0025.

The proposed updates also include revisions to Tables 3-5, 3-6, 3-7, and 3-8 containing the maximum contaminant levels (MCLs) for inorganic chemicals, fluoride, organic chemicals, and radioactive substances, respectively (established in Title 22 of the CCR). These revisions reflect the most current MCLs specified in Title 22 of the CCR, which is the source of these objectives.

Finally, Table 3-10, which lists site-specific water quality objectives for selected constituents for the region’s ground waters, has been revised to reflect the recent administrative updates to the groundwater basins and sub-basins, in Chapter 2 of the Basin Plan.

This update to Chapter 3 of the Basin Plan is non-regulatory in nature and does not involve any new changes to water quality objectives for the surface and ground waters of the Los Angeles Region. Neither does it modify the application of these objectives or their implementation provisions. It is part of a multi-step plan to administratively update the entire Basin Plan. Any regulatory updates to Chapter 3 of the Basin Plan will be addressed in the future as separate Board actions.

POLICY ISSUE

Should the State Water Board approve the non-regulatory amendment to the Basin Plan to administratively update Chapter 3 of the Water Quality Control Plan for the Los Angeles Region as adopted by Los Angeles Water Board Resolution No. R13-003?

FISCAL IMPACT

Los Angeles Water Board and State Water Board staff work associated with or resulting from this action will be addressed with existing and future budgeted resources.

REGIONAL BOARD IMPACT

Approval of Los Angeles Water Board Resolution No. R13-003 will amend and administratively update the Los Angeles Water Board's Basin Plan.

STAFF RECOMMENDATION

That the State Water Board:

1. Approve the Basin Plan amendments adopted under Los Angeles Water Board Resolution No. No. R13-003.
2. Authorize and direct the Executive Director or designee to submit the Basin Plan amendments adopted under Los Angeles Water Board Resolution No. R13-003 to the OAL for concurrence with their non-regulatory status.

<p>State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012 to comprehensively address water quality protection, restoration throughout California's water planning process. In particular, approval of this item will assist in fulfilling Objective 4.2 to have Basin Plans updated by 2015.</p>

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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2014-

APPROVING NON-REGULATORY AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO ADMINISTRATIVELY UPDATE CHAPTER 3 "WATER QUALITY OBJECTIVES" BY INCORPORATING PREVIOUSLY ADOPTED AMENDMENTS AND UPDATED TABLES

WHEREAS:

1. On May 2, 2013, the Regional Water Quality Control Board for the Los Angeles Region (Los Angeles Water Board) adopted [Resolution No. R13-003](#). This non-regulatory amendment administratively updates the Water Quality Control Plan for the Los Angeles Region (Basin Plan). Los Angeles Water Board Resolution No. R13-003 administratively updates Chapter 3 "Water Quality Objectives" by incorporating previously adopted Basin Plan amendments, and updated tables.
2. While the Los Angeles Water Board generally prepares "substitute environmental documents" for amendments to its Basin Plan that contain the required environmental documentation under the State's California Environmental Quality Act (CEQA) regulations (23 Cal. Code Regs. § 3777), the Los Angeles Water Board found that this amendment is a non-regulatory administrative update to the Basin Plan. Therefore, the Los Angeles Water Board determined that this non-regulatory amendment is exempt from CEQA as it is purely ministerial, does not constitute a "project", and will have no impact on the environment. The State Water Board concurs with the Los Angeles Water Board's findings and determinations that this amendment is exempt from CEQA. Accordingly, the State's CEQA regulations do not apply to this action. (23 Cal. Code Regs. § 3720.)
3. The Los Angeles Water Board also adopted the Basin Plan amendment pursuant to the "Necessity" standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
4. As this amendment is a non-regulatory administrative update to the Basin Plan, the Los Angeles Water Board did not adopt or revise water quality objectives. Therefore, the Los Angeles Water Board determined that sections 13241 and 13242 of the Water Code did not apply to this action. The State Water Board concurs with the Los Angeles Water Board's findings and determinations. While consideration of the factors in Water Code section 13241 is not required, the State Water Board nevertheless finds that this amendment will have no impact on any of the factors set forth in Water Code section 13241.
5. This Basin Plan amendment does not become effective until approved by the State Water Board and until the Office of Administrative Law (OAL) has concurred on its non-regulatory status.

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THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R13-003.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R13-003 to OAL for concurrence with its non-regulatory status.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 20, 2014.

Jeanine Townsend
Clerk to the Board