



# California Regional Water Quality Control Board

## Los Angeles Region



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To: Interested Persons

From: Melinda Becker   
Acting Section Chief, Regional Programs  
California Regional Water Quality Control Board, Los Angeles Region

Date: March 28, 2005

Subject: Notice of Public Hearing for a proposed amendment to the *Water Quality Control Plan for the Los Angeles Region* to incorporate a Total Maximum Daily Loads for Toxic Pollutants in Ballona Creek Estuary

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) will consider a proposed amendment to the *Water Quality Control Plan for the Los Angeles Region* (Basin Plan) to incorporate Total Maximum Daily Loads (TMDLs) to reduce toxic pollutants in Ballona Creek Estuary. Additional regulations or policies, consistent with the general purpose of the proposed amendment and complementary to the proposal may be developed at the hearing as a logical outgrowth of discussions. The Regional Board will act on the proposed amendment after hearing staff's presentation and public comments. Copies of the proposed resolution, Basin Plan amendment, staff report, CEQA checklist and Notice of Filing can be obtained from the Regional Board website at [www.swrcb.ca.gov/rwqcb4](http://www.swrcb.ca.gov/rwqcb4) (select "Total Maximum Daily Loads/TMDLs" under the "Updates and News" tab). Please contact Rebecca Christmann at (213) 576-6757 for additional information.

***A Public Hearing will be held on June 2, 2005 at 9:00 a.m.  
at the Metropolitan Water District of Southern California  
700 North Alameda Street, Los Angeles, California***

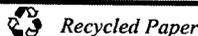
Written comments and exhibits must be submitted to the Regional Board no later than 5:00 p.m. on May 12, 2005. Failure to comply with these requirements is grounds for the Board to refuse to admit the proposed written comment or exhibit into evidence (California Code of Regulations, Title 23, Section 649.4). Comments should be submitted to:

California Regional Water Quality Control Board  
Los Angeles Region  
320 West Fourth Street, Suite 200  
Los Angeles, California 90013

ATTN: Rebecca Christmann

All exhibits including charts, graphs and other testimony presented at the public hearing must be left with the Regional Board for inclusion in the Administrative Record. Please note that the Regional Board may impose time limits on oral testimony at the public hearing.

***California Environmental Protection Agency***



*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

## Background

The proposed amendment would incorporate into the Basin Plan TMDLs to reduce toxic pollutants in Ballona Creek Estuary (Estuary). The Regional Board's goal in incorporating the above-mentioned TMDLs is to protect the beneficial uses of Ballona Creek and Estuary associated with aquatic and wildlife habitat and to achieve water quality objectives set to protect these beneficial uses. Elevated concentrations of metals, historic pesticides, PCBs and PAHs have been associated with aquatic toxicity. The Regional Board has prepared this TMDL to address the documented impairments in Ballona Creek Estuary.

The Regional Board is charged with implementing the provisions of both the Porter Cologne Water Quality Control Act (California law) and the federal Clean Water Act in the Los Angeles Region. One of the ways in which the Regional Board implements these laws is through the development and implementation of water quality standards for all of the water bodies within the Region. Under the federal Clean Water Act, water quality standards consist of beneficial use designations of water bodies and numeric or narrative water quality objectives that are protective of those beneficial uses as well as the state's anti-degradation policy. Section 303(d)(A)(1) of the Clean Water Act requires the State to identify those waters, which are impaired by pollution (not meeting water quality standards), and establish TMDLs for the pollutants causing the impairments. A TMDL specifies the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and allocates the acceptable pollutant load to point and nonpoint sources. The TMDL can be expressed in terms of either mass per time, toxicity, concentration, or other appropriate measure.

The proposed TMDL sets numeric targets based on the sediment quality guidelines compiled by the National Oceanic and Atmospheric Administration. The sediment quality guidelines are applicable numeric targets because the impairments and the 303(d) listings are based on sediment quality data. In addition, the pollutants being addressed have a high affinity for particles and the delivery of these pollutants is generally associated with the transport of suspended solids from the watershed or from sediments within the Estuary. The effects range low (ERLs) values are established as the numeric targets for sediments in Ballona Creek Estuary.

Mass-based load allocations are proposed for open space and direct atmospheric deposition. A grouped mass-based waste load allocation is proposed for the storm water permittees (Los Angeles County MS4, Caltrans, General Industrial and General Construction). Load allocations are subtracted from the total allowable load to obtain the proposed storm water allocation. The storm water allocation is partitioned among the MS4, Caltrans and general storm water permittees based on the area covered by each type of permit in each watershed. Each individual storm water permittee under the general construction and industrial storm water permits will receive an individual waste load allocations on a per acre basis based on the acreage of the individual construction or industrial facility.

Concentration-based waste load allocations are developed for other point sources in the watershed. These other point sources have intermittent flows and discharge little to no sediment. These sources will have a minor impact on sediment loading if they are limited by concentration to the applicable ERL-based waste load allocations.

It is proposed that the waste load allocations for the non-storm water NPDES permits (including minor and general permits) will be translated into permit limits upon their issuance, renewal, or re-opener. It is proposed that the minor NPDES permits, general non-storm water NPDES permits, general industrial and

construction storm water permits achieve the waste load allocations within seven years of the effective date of the TMDL. The storm water permittees will employ an iterative best management practice (BMP) process, including BMP effectiveness monitoring, to achieve compliance with the waste load allocations.

The proposed implementation schedule for the MS4 and Caltrans permittees consists of a phased approach, with compliance to be achieved in prescribed percentages of the watershed until 100% of the watershed meets the waste load allocations. It is proposed that the MS4 and Caltrans permittees achieve compliance with their waste load allocations within 15 years of the effective date of the TMDL.

