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California Regional Water Quality Control Board Los Angeles Region

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Arnold Schwarzenegger
Governor

NOTICE OF FILING / NOTICE OF HEARING

TO: Any Interested Person

FROM: California Regional Water Quality Control Board, Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

DATE: November 22, 2005

SUBJECT: Notice of Filing Submitted under section 21080.5 of the Public Resources Code

PROPONENT: California Regional Water Quality Control Board, Los Angeles Region

TITLE: Amendment to the Water Quality Control Plan for the Los Angeles Region

CONTACT: Deborah Neiter, (213) 576-6763
Environmental Scientist
TMDLs and Water Quality Standards

LOCATION: Los Angeles Region

DESCRIPTION: Basin Plan Amendment to Incorporate a Variance Provision for the Groundwater Mineral Quality Objectives

This notice is to advise any interested person that the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) will hold a public hearing on January 19, 2006. The subject under consideration is an amendment to Chapter 3 of the Water Quality Control Plan for the Los Angeles Region to incorporate a variance provision for groundwater mineral water quality objectives under specified conditions. The public hearing will begin at 9:00 AM. The public hearing will be held in the board room of the Metropolitan Water District of Southern California, 700 North Alameda Street, Los Angeles, California 90012-2944

Copies of the tentative resolution, proposed amendment, staff report, and CEQA checklist are available on the website of the Los Angeles Regional Water Quality Control Board at: http://www.swrcb.ca.gov/~rwqcb4/html/meetings/tmdl/Basin_plan/basin_plan_amendment_tmdl.htm. If you would like these documents sent in hard copy, please call Sandra Kelley at (213) 576-6619 or fax your request to her attention at (213) 576-6686.

Actions to amend the Basin Plan will be taken in accordance with a regulatory program exempt under section 21080.5 of the Public Resources Code from the requirement to prepare an

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environmental impact report under the California Environmental Quality Act (Public Resources Code section 21000 et seq.) and with other applicable laws and regulations. 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. The Regional Board will take action on the proposed amendment after hearing staff's presentation and public comments.

The Regional Board is soliciting comments on the tentative resolution, proposed amendment and supporting documents. In order to be fully considered by the Regional Board, written comments and exhibits must be submitted to the Regional Board no later than 5:00 PM on January 6, 2006. 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 W. 4th Street
Los Angeles, California 90013

ATTN: Deborah Neiter

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. Please contact Deborah Neiter at (213) 576-6763 if you have any questions.

Background

The Regional Board will consider amending its Basin Plan to revise Chapter 3 "Water Quality Objectives" of the Basin Plan to incorporate a variance provision for groundwater mineral water quality objectives (contained in Table 3-10 of the 1994 Basin Plan).

This authority would be limited in geographic scope to coastal aquifers in situations where elevated concentrations of minerals are caused by natural sources due to an aquifer's proximity to the coast, including seawater intrusion, presence of marine sediments or tidal fluctuations.

This amendment to the groundwater mineral objectives is submitted in response to several requests to de-designate the Municipal and Domestic Supply (MUN) beneficial use from portions of groundwater basins.

The primary justification given for these requests was the presence of naturally elevated levels of TDS in the groundwater. The State Water Resources Control Board (State Board) identified the presence of elevated TDS as one of several possible exceptions provided in the Statewide Sources of Drinking Water Policy previously adopted by the State Board (Resolution No. 88-63). This policy broadly defines "sources of drinking water" as those water bodies with beneficial uses designated as suitable, or potentially suitable,

for municipal and domestic supply (MUN).¹ Through the policy, the State Board required that the Regional Boards designate all surface and ground waters as suitable, or potentially suitable, for municipal and domestic supply with certain exceptions.

The Regional Boards were given the prerogative to apply the exceptions contained in the policy to water bodies in the region, if justified and consistent with regional priorities, or to designate all water bodies as potentially suitable as municipal and domestic supply if they were not already so designated.

In the case of groundwater in the Los Angeles Region, most groundwater basins were already designated as existing or potential MUN in the Basin Plan, predating State Board's adoption of the Sources of Drinking Water Policy. At the time of the Regional Board's incorporation of the statewide policy into the Los Angeles Region Basin Plan in 1989, the Regional Board did not invoke any of the exceptions to designation for groundwater basins in the region.

Though portions of some groundwater basins have poor mineral quality (i.e. high concentrations of TDS that exceed the policy's threshold of 3,000 mg/L), Regional Board staff does not recommend dedesignating the MUN use for these groundwater areas. It is the position of Regional Board staff that it is not unreasonable, given the increasing regional demand for water, periodic water shortages, controversy over imported water supplies, and current desalinization technology, to anticipate that the groundwaters proposed for dedesignation may be used directly or indirectly as water supplies at some future time. Protecting potable water supplies (current and future) is particularly important in southern California given the shortage of water and the growing population.

Instead, this Basin Plan amendment would authorize the Regional Board to issue variances to permittees, if justified, to provide relief from the groundwater mineral quality objectives in the Basin Plan where mineral concentrations are naturally elevated in coastal aquifers. The natural conditions causing the elevated mineral concentrations could include but are not limited to an aquifer's proximity to seawater, including seawater intrusion, presence of marine sediments or tidal fluctuations.

Jonathan Bishop
Executive Officer

Date

¹ Municipal and Domestic Supply (MUN) is defined in the Water Quality Control Plan for the Los Angeles Region as "Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply." (p. 2-1, Water Quality Control Plan, Los Angeles Region, June 13, 1994).