ADMINISTRATIVE UPDATE OF CHAPTER 4 "STRATEGIC PLANNING AND IMPLEMENTATION" AND CHAPTER 5 "PLANS AND POLICIES" OF THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION

Draft Staff Report

Executive summary

The Water Quality Control Plan for the Los Angeles Region (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 (i) the region's water quality standards, which consist of beneficial uses, water quality objectives to protect those uses, and an antidegradation policy, (ii) programs of implementation and other actions necessary to achieve water quality standards, and (iii) non-regulatory descriptions of environmental and land use characteristics of the region, including water quality conditions and related issues.

This staff report describes the proposed non-regulatory amendment to update outdated information in Chapters 4 and 5 of the Basin Plan.

Chapter 4 "Strategic Planning and Implementation" contains descriptions of all the Los Angeles Water Board's programs. These programs are the vehicle through which the goal of protecting, enhancing and restoring the quality of the region's surface and ground water is accomplished and through which the region's water quality standards are implemented and enforced. The proposed administrative update to Chapter 4 of the Basin Plan specifically includes updates to descriptions of climate change considerations within the Los Angeles Water Board programs. Those include the adoption in May 2018 of "A Resolution to Prioritize Actions to Adapt and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses" (Resolution No. R18-004) and the publication in April 2019 of Part 2 of the Los Angeles Region Framework for Climate Change Adaptation and Mitigation - Potential Regulatory Adaptation and Mitigation Measures.

Chapter 5 "Plans and Policies" summarizes significant statewide and regional plans, policies, resolutions, Basin Plan amendments, and total maximum daily loads (TMDLs) that direct the actions of the Los Angeles Water Board or guide the Los Angeles Water Board's intent. The proposed administrative update to Chapter 5 includes:

- (i) Addition of a description of the State Water Board's "Comprehensive Response to Climate Change" resolution (State Water Board Resolution No. 2017-0012),
- (ii) Additions of descriptions of new and revised statewide water quality control plans, policies and significant resolutions adopted since September 2014;
- (iii) Additions to Table 5-1: "Significant Regional Water Board Resolutions, excluding those that amended the Basin Plan" to reflect the adoption of Resolution No. R18-004, "A Resolution to Prioritize Actions to Adapt and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses," the adoption of the 2014-2016 and the 2017-2019 Triennial Review Selection of Basin Planning Projects (Resolution No. R15-011 and No. R18-003), and the adoption of other significant Regional Water Board Resolutions since September 2014,

- (iv) Additions to Table 5-2: "Regional Water Board Resolutions incorporating Basin Plan Updates and Amendments (not including TMDLs or amendments to incorporate groundwater basin salt and nutrient management measures)" to update the list of Basin Plan amendments and updates adopted by the Los Angeles Water Board,
- (v) Additions to Table 5-3: "TMDLs Applicable to Waterbodies within the Los Angeles Region" to update the list of TMDLs adopted by the Los Angeles Water Board, and
- (vi) The addition of a new table, Table 5-4, which lists Basin Plan amendments incorporating groundwater basin salt and nutrient management measures from stakeholder-led salt and nutrient management plans (SNMPs).

These administrative updates to Chapter 4 and 5 of the Basin Plan are non-regulatory in nature and impose no new regulatory requirements. These amendments do not involve changes to water quality standards or their implementation provisions. The non-substantive changes are intended solely to provide more current information.

1. Updates and Additions to Chapter 4 of the Basin Plan

The purpose of the update of Chapter 4 is to revise the information contained in this chapter relative to the Los Angeles Water Board's activities to address climate change.

The State's adaptation strategy, <u>Safeguarding California</u>¹ provides a roadmap for state government action to build climate change resiliency and identifies overarching principles that represent foundational objectives for California's approach to climate change adaptation.

On March 7, 2017, the State Water Resources Control Board (State Water Board) adopted a "Comprehensive Response to Climate Change" resolution directing a proactive approach to climate change in all Board actions, including drinking water regulation, water quality protection, and financial assistance (State Water Board Resolution No. 2017-0012). The resolution lays the foundation for a response to climate change that is integrated into all State Water Board actions by giving direction to the State Water Board divisions and encouraging coordination with the Regional Water Boards on climate change related actions.

The Los Angeles Water Board recognized early that the predicted impacts of climate change, including increase in temperatures, increased occurrence of extreme weather conditions (e.g., extreme precipitation events and drought), and rising sea level could drastically alter hydrological and ecosystem processes in our region. In turn, many beneficial uses could be impacted or even impaired, including aquatic and riparian habitats and associated species, as well as municipal supply, recreational, and commercial uses. In addition, impacts to municipal supply and recreational uses, such as the potential increase in the occurrence of harmful algal blooms or sewer overflows, heighten risks to public health.

Regionally, the Los Angeles Water Board has been considering climate change issues since 2014 and included the development of a regional climate change strategy as a priority project for the 2014-2016 and the 2017-2019 triennial reviews. Overall, the objective of this strategy has been to protect beneficial uses and water quality under a changing climate, while achieving the following goals:

- Improve ecosystem resilience,
- Protect coastal and inland infrastructure and prevent it from failing,
- Promote groundwater recharge and water recycling,
- Promote a sustainable watershed approach,
- Expand monitoring and research to track the effects of climate change and effectiveness of mitigation measures, and

¹ http://resources.ca.gov/docs/climate/safeguarding/update2018/safeguarding-california-plan-2018-update.pdf

² https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/rs2017_0012.pdf

Protect vulnerable communities.

Early efforts towards the development of this strategy resulted in the publication in 2015 of Part 1 of the "Los Angeles Region Framework for Climate Change Adaptation and Mitigation - Current State of Knowledge & Water Quality Regulatory Program Considerations" (Framework). The document looked at the impacts of climate change through the lens of water quality and began a discussion on issues that will need to be considered and tackled over time. Concurrently, a web page dedicated to climate change was created on the Los Angeles Water Board website, which contains the Framework and other pertinent information.

In response to Part 1 of the Framework, staff has begun developing permit language addressing climate change on a case-by-case basis, including where appropriate to the circumstances, permit provisions requesting that permittees prepare a climate change vulnerability assessment and Mitigation Plan (Climate Change Plan) that would include an assessment of short and long-term vulnerabilities as well as plans to mitigate vulnerabilities. Furthermore, in 2017, the Water Boards allocated funding for two research contracts that will help further understand the impacts of climate change in the Los Angeles Region.

In addition to these efforts, Board staff and local stakeholders were consulted to identify the specific challenges that will likely be caused by climate change within the activities of the Los Angeles Water Board's programs and the specific actions that could be implemented to address those challenges. Building on these efforts, on May 10, 2018, the Los Angeles Water Board adopted "A Resolution to Prioritize Actions to Adapt to and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses" (Resolution No. R18-004). The objectives of the proposed resolution were:

- To acknowledge the need to adapt to, and where possible mitigate the impacts of, climate change in various Los Angeles Water Board programs/actions,
- To briefly summarize the actions the Los Angeles Water Board has already begun to take in some program areas, and
- To begin to identify some future actions.

The resolution summarizes the steps taken so far to address the impacts of climate change within the Los Angeles Region and lists a series of steps that the Los Angeles Water Board can take moving forward. These steps include the identification of potential regulatory adaptation and mitigation measures that could be implemented on a short-term and long-term basis by each of

³ http://www.waterboards.ca.gov/losangeles/water_issues/programs/climate_change/docs/2015/Climatechange-frameworkforclimatechangeadaptation-final7-20-2015.pdf

⁴ http://www.waterboards.ca.gov/losangeles/water_issues/programs/climate_change/index.shtml

⁵https://www.waterboards.ca.gov/losangeles/board_decisions/basin_plan_amendments/technical_documents/13 0_new/ResolutionNoR18-004.pdf

the Los Angeles Water Board's programs to take into account, and assist in mitigating where possible, the effects of climate change on water resources and associated beneficial uses.

Following the Resolution, Part 2 of the Framework – Potential Regulatory Adaptation and Mitigation Measures⁶ was developed and released in April 2019. This document identifies specific challenges caused by climate change within the activities of each of the Los Angeles Water Board's programs and offers specific actions to address those, including potential regulatory actions, monitoring and research needs, potential areas of collaboration, and environmental justice considerations.

In August 2017, the Los Angeles Water Board updated Chapter 4 to add a new section titled "Climate Change Considerations", which described the Los Angeles Water Board's activities to address climate change at the time. The purpose of the proposed update is to add more current information to this section regarding climate change related activities initiated by the State, the State Water Board, and the Los Angeles Water Board since 2016. Specifically, the updated text introduces the State's adaptation strategy, Safeguarding California and the State Water Board's "Comprehensive Response to Climate Change" resolution and outlines the goals of the Los Angeles Water Board climate change strategy. It also introduces Part 2 of the Framework and the "Resolution to Prioritize Actions to Adapt to and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses" adopted by the Los Angeles Water Board.

2. Updates and Additions to Chapter 5 of the Basin Plan

The purpose of the proposed update to Chapter 5 of the Basin Plan is to add the climate change resolutions adopted by the State Water Board and the Los Angeles Water Board to the text and to update the significant plans, policies and resolutions that have been adopted by the State Water Board and the Los Angeles Water Board since September 2014, when the latest update to Chapter 5 was adopted.

Specifically, changes are as follows:

- Updating the Table of Content
- In the section "Statewide Water Quality Control Plans," adding/updating the description of the following:
 - o The desalination amendment to the California Ocean Plan adopted in 2015 (State Water Board Resolution No. 2015-0033)

⁶https://www.waterboards.ca.gov/losangeles/water_issues/programs/climate_change/docs/2019/FrameworkPart 2-PotentialRegulatoryAdaptation_MitigationMeasures-final.pdf

- The amendments to the Water Quality Control Plan for Enclosed Bays and Estuaries –Sediment Quality Provisions (State Water Board Resolution No. 2011-0017 and No.2018-0028)
- Statewide Water Quality Control Plans for Trash (State Water Board Resolution No. 2015-0019)
- Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions (State Water Board Resolution No. 2017-0027)
- The Bacteria Provisions and Variance Policy adopted in 2018 (State Water Board Resolution No. 2018-0038)
- In the section "General Policies Applying to All Waters of the State," adding a description of the following:
 - The Human Right to Water resolution (State Water Board Resolution No. 2016-0010)
 - State Water Board's "Comprehensive Response to Climate Change" resolution (State Water Board Resolution No. 2017-0012) adopted in 2017.
 - The Cannabis Policy adopted in 2017 (State Water Board Resolution No. 2017-0063)
- In the Section "Policies Applying to Surface Waters", adding a description of the following:
 - The 2015 amendment to the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List (State Water Board Resolution No. 2015-0005)
- In the Section "Policies Applying to Programs of Implementation for Surface Waters", adding a description of the following:
 - The 2017 amendment to Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling (State Water Board Resolution No. 2017-0047)
- In the section "Policies Related to Water Reclamation and Recycling," adding a description of the following:
 - The 2018 amendment to the Recycled Water Policy (State Water Board Resolution No. 2018-0057)
- In the section "Policies Related to Enforcement," adding a description of the following:
 - The amendment of the Water Quality Enforcement Policy adopted in 2017 (State Water Board Resolution No. 2017-0020)
 - The 2017 amendment to the SEP Policy (State Water Board Resolution No. 2017-0074)

• In the section "Significant Regional Water Board Resolutions", adding Basin Plan amendments adopted by the Los Angeles Water Board and fully approved since the last update of Chapter 5 to Table 5-1 and 5-2 as shown below:

<u>Table 1. Additions to Table 5-1 "Significant Regional Water Board Resolutions, excluding those that amended the Basin Plan"</u>

Resolution Number	Title	Adoption Date
Triennial Reviews		
R15-011	2014-2016 Triennial Review Selection of Basin Planning Projects	5-Nov-2015
R18-003	2017-2019 Triennial Review Selection of Basin Planning Projects	10-May- 2018
Program Implementation		
R14-012	Authorizing the Executive Officer to Sign a Revised Memorandum of Understanding with the City of Malibu and the State Water Resources Control Board Regarding the Malibu Civic Center Area Prohibition	4-Dec-2014
R17-001	Authorizing the Executive Officer to Sign a Revised Memorandum of Understanding with the City of Malibu and the State Water Resources Control Board Regarding the Malibu Civic Center Area Prohibition	2-Feb-2017
R18-004	A Resolution to Prioritize Actions to Adapt and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses	10-May- 2018

<u>Table 2. Additions to Table 5-2, "Regional Water Board Resolutions incorporating Basin Plan Updates and Amendments (not including TMDLs or amendments to incorporate groundwater basin salt and nutrient management measures)"</u>

Resolution Number	Title	Adoption Date
R14-003	Reconsideration of Table 4-zz of Resolution No. R4-2009-007, Amendment to the Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties Prohibiting On-site Wastewater Disposal Systems in the Malibu Civic Center Area	6-Feb-2014
R14-007	Amendments to the Water Quality Control Plan for the Los Angeles Region to incorporate the Statewide Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems	8-May-2014

Resolution Number	Title	Adoption Date
R14-009	Non-Regulatory Amendments to the Water Quality Control Plan for the Los Angeles Region to Administratively Update Chapter 1 "Introduction", Chapter 5 "Plans and Policies", and Chapter 6 "Monitoring and Assessment"	11-Sept- 2014
R14-011	Retaining the Current Recreational Beneficial Use Designations of the Engineered Channels of the Los Angeles River Watershed	4-Dec-2014
R15-004	Amendments to the Water Quality Control Plan for the Los Angeles Region to Adopt Site-Specific Objectives for Lead and Copper in the Los Angeles River Watershed and to Revise the Total Maximum Daily Load for Metals in the Los Angeles River and Tributaries	9-Apr-2015

• In the section "Total Maximum Daily Loads", adding TMDLs adopted by the Los Angeles Water Board and fully approved since the last update of Chapter 5 to Table 5-3 as shown below:

<u>Table 3.</u> Additions to Table 5-3, "TMDLs Applicable to Waterbodies within the Los Angeles Region"

Resolution/Order Number	Title	Date Adopted/ Established	Regulatory Action
Ballona Creek			
R12-008	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Load for Bacterial Indicator Densities in Ballona Creek, Ballona Estuary and Sepulveda Channel	7-Jun-2012	BPA*
R13-010	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Loads for Metals in Ballona Creek and the Total Maximum Daily Loads for Toxic Pollutants in the Ballona Creek Estuary	5-Dec-2013	BPA
R15-006	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Load for Trash in the Los Angeles River Watershed and the Total Maximum Daily Load for Trash in the Ballona Creek Watershed	11-Jun-2015	ВРА

Resolution/Order Number	Title	Date Adopted/ Established	Regulatory Action
Calleguas Creek		_	_
R16-007	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Load for Metals and Selenium for the Calleguas Creek, its Tributaries, and Mugu Lagoon	13-Oct-2016	ВРА
Dominguez Channel			
R12-007	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Loads for Bacteria in the Santa Monica Bay Beaches; the Marina del Rey Harbor Mothers' Beach and Back Basins; and the Los Angeles Harbor Inner Cabrillo Beach and Main Ship Channel and to Revise Implementation Provisions for Water Contact Recreation Bacteria Objectives	7-Jun-2012	ВРА
Los Angeles River			
R12-010	Amendment to the Water Quality Control Plan for the Los Angeles Region to amend the Total Maximum Daily Load for Nitrogen Compounds and Related Effects in the Los Angeles River by incorporating site-specific ammonia objectives	6-Dec-2012	BPA
R15-004	Amendments to the Water Quality Control Plan for the Los Angeles Region to Adopt Site Specific Objectives for Lead and Copper in the Los Angeles River Watershed and to Revise the Total Maximum Daily Load for Metals in the Los Angeles River and Tributaries	9-Apr-2015	BPA
R15-006	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Load for Trash in the Los Angeles River Watershed and the Total Maximum Daily Load for Trash in the Ballona Creek Watershed	11-Jun-2015	ВРА
Los Cerritos Channel	and Alamitos Bay WMA		
R13-014	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Implementation Plans for the Total Maximum Daily Loads for Metals in the Los Cerritos Channel and for Metals and Selenium in the San Gabriel River and Impaired Tributaries	6-Jun-2013	ВРА

Resolution/Order Number	Title	Date Adopted/ Established	Regulatory Action
Malibu Creek			
R12-009	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Load for Bacteria in the Malibu Creek Watershed	7-Jun-2012	ВРА
R16-009	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate an Implementation Plan for the Total Maximum Daily Loads for Nutrients in the Malibu Creek Watershed and Sedimentation and Nutrients to Address Benthic Community Impairments in Malibu Creek and Lagoon	8-Dec-2016	ВРА
Marina Del Rey			
R14-004	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Load for Toxic Pollutants in Marina del Rey Harbor	6-Feb-2014	BPA
R12-007	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Loads for Bacteria in the Santa Monica Bay Beaches; the Marina del Rey Harbor Mothers' Beach and Back Basins; and the Los Angeles Harbor Inner Cabrillo Beach and Main Ship Channel and to Revise Implementation Provisions for Water Contact Recreation Bacteria Objectives	7-Jun-2012	ВРА
San Gabriel River			
R13-004	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Implementation Plans for the Total Maximum Daily Loads for Metals in the Los Cerritos Channel and for Metals and Selenium in the San Gabriel River and Impaired Tributaries	6-Jun-2013	ВРА
R15-005	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load for Indicator Bacteria in the San Gabriel River, Estuary and Tributaries	10-Jun-2015	BPA

Resolution/Order Number	Title	Date Adopted/ Established	Regulatory Action
Santa Clara River			
R14-010	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate an Averaging Period for Chloride Water Quality Objectives in Reaches 4B, 5, and 6; Incorporate New Site Specific Objectives for Chloride in Reaches 5 and 6; and Revise the Total Maximum Daily Load for Chloride in the Upper Santa Clara River	9-Oct-2014	ВРА
R16-006	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load for Nutrients for the Santa Clara River Lakes (Elizabeth Lake, Munz Lake, and Lake Hughes)	8-Sept-2016	ВРА
Santa Monica Bay			
R12-007	Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Loads for Bacteria in the Santa Monica Bay Beaches; the Marina del Rey Harbor Mothers' Beach and Back Basins; and the Los Angeles Harbor Inner Cabrillo Beach and Main Ship Channel and to Revise Implementation Provisions for Water Contact Recreation Bacteria Objectives	7-Jun-2012	ВРА

^{*}BPA: Basin Plan amendment

• A new section, "Salt and Nutrient Management Plans (SNMPs), is added. The section includes a new table, Table 5-4, "Regional Water Board Resolutions Amending the Basin Plan to Incorporate Basin-Specific Salt and Nutrient Management Measures Identified in Stakeholder-Led Salt and Nutrient Management Plans within the Los Angeles Region," which lists Basin Plan amendments incorporating summaries of basin-specific salt and nutrient management measures adopted by the Los Angeles Water Board, as shown in Table 4. The parenthetical after the title of Table 5-2 is clarified to state "(not including TMDLs or amendments to incorporate groundwater basin salt and nutrient management measures; see Table 5-3 and Table 5-4)."

Table 4. Table 5-4, "Regional Water Board Resolutions Amending the Basin Plan to Incorporate Basin-Specific Salt and Nutrient Management Measures Identified in Stakeholder-Led Salt and Nutrient Management Plans within the Los Angeles Region"

Resolution Number	Title	Adoption Date
R15-001	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Stakeholder-Proposed Groundwater Quality Management Measures for Salts and Nutrients in the Central and West Coast Groundwater Basins	12-Feb-2015
R15-007	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Stakeholder-Developed Groundwater Quality Management Measures for Salts and Nutrients in the Lower Santa Clara River Basin	9-July-2015
R16-005	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Stakeholder-Developed Groundwater Quality Management Measures for Salts and Nutrients in the Malibu Valley Groundwater Basin	14-July-2016
R16-008	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Stakeholder-Developed Groundwater Quality Management Measures for Salts and Nutrients in the Upper Santa Clara River Basin	8-Dec-2016
R16-010	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Stakeholder-Developed Groundwater Quality Management Measures for Salts and Nutrients in the Main San Gabriel Basin	Dec-8-2016
R16-011	Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Stakeholder-Developed Groundwater Quality Management Measures for Salts and Nutrients in the Raymond Basin	Dec-8-2016