

Attachment A to Resolution No. 2022-001

Amendment to Chapter 2 of the Basin Plan for the Los Angeles Region

The amendment to Chapter 2 of the Basin Plan for the Los Angeles Region adds and defines three new beneficial uses and administratively updates the Introduction section of this chapter.

2. Beneficial Uses

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Introduction

Beneficial uses form the cornerstone of water quality protection under the Basin Plan. Once beneficial uses are designated, appropriate water quality objectives can be established and programs that maintain or enhance water quality can be implemented to ensure the protection of beneficial uses. The designated beneficial uses, together with water quality objectives (referred to as criteria in federal regulations), form water quality standards. Such standards are mandated for all waterbodies within the state under the California Water Code. In addition, the federal Clean Water Act mandates standards for all surface waters, including wetlands.

Twenty-eight beneficial uses in the Region are identified in this chapter. These beneficial uses and their definitions were developed by the State Water Resources Control Board (State Water Board) and Regional Water Quality Control Boards (Regional Water Boards) (collectively, Water Boards) for use in the Regional Water Boards' Basin Plans. Seven beneficial uses were added since the original 1975 Basin Plans. These new beneficial uses are Aquaculture, Estuarine Habitat, ~~and~~ Wetlands Habitat, Limited Water Contact Recreation, Tribal Tradition and Culture, Tribal Subsistence Fishing, and Subsistence Fishing. Uses can be designated for a waterbody in a number of ways. Those beneficial uses that have been attained for a waterbody on, or after, November 28, 1975, must be designated as "existing" in the Basin Plans. Other uses can be designated, whether or not they have been attained on a waterbody, in order to implement either federal or state mandates and goals (such as fishable and swimmable) for regional waters. For the State Water Board or the Regional Water Boards to designate the Tribal Tradition and Culture or Tribal Subsistence Fishing beneficial uses in a water quality control plan for a particular waterbody segment and time(s) of year, a California Native American Tribe¹ must confirm the designation is appropriate. Beneficial uses of streams that have intermittent flows, as is typical of many streams in southern California, are designated as intermittent. During dry periods, however, shallow groundwater or small pools of water can support some beneficial uses associated with intermittent streams; accordingly, such beneficial uses (e.g., wildlife habitat) must be protected

¹ A federally-recognized California tribal government listed on the most recent notice of the Federal Register or a non-federally recognized California tribal government on the California Tribal Consultation List maintained by the California Native American Heritage Commission.

throughout the year and are designated "existing." In addition, beneficial uses can be designated as "potential" for several reasons, including:

- Implementation of the State Water Board's policy entitled "Sources of Drinking Water Policy" (State Water Board Resolution No. 88-63, described in Chapter 5),
- Plans to put the water to such future use,
- Potential to put the water to such future use,
- Designation of a use by the Regional Water Board as a regional water quality goal, or
- Public desire to put the water to such future use.

Beneficial Use Definitions

Beneficial uses for waterbodies in the Los Angeles Region are listed and defined below. The uses are listed in no preferential order.

Municipal and Domestic Supply (MUN)

Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.

Agricultural Supply (AGR)

Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

Industrial Process Supply (PROC)

Uses of water for industrial activities that depend primarily on water quality.

Industrial Service Supply (IND)

Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, or oil well re-pressurization.

Ground Water Recharge (GWR)

Uses of water for natural or artificial recharge of ground water for purposes of future extraction, maintenance of water quality, or halting of saltwater intrusion into freshwater aquifers.

Freshwater Replenishment (FRSH)

Uses of water for natural or artificial maintenance of surface water quantity or quality (e.g., salinity).

Navigation (NAV)

Uses of water for shipping, travel, or other transportation by private, military, or commercial vessels.

Hydropower Generation (POW)

Uses of water for hydropower generation.

Water Contact Recreation (REC-1)

Uses of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, swimming, wading, water-skiing, skin and scuba diving, surfing, white water activities, fishing, or use of natural hot springs.

Limited Water Contact Recreation (LREC-1)

Uses of water for recreational activities involving body contact with water, where full REC-1 use is limited by physical conditions such as very shallow water depth and restricted access and, as a result, ingestion of water is incidental and infrequent.

Non-contact Water Recreation (REC-2)

Uses of water for recreational activities involving proximity to water, but not normally involving body contact with water, where ingestion of water is reasonably possible. These uses include, but are not limited to, picnicking, sunbathing, hiking, beachcombing, camping, boating, tidepool and marine life study, hunting, sightseeing, or aesthetic enjoyment in conjunction with the above activities.

High Flow Suspension: The High Flow Suspension shall apply to water contact recreational activities associated with the swimmable goal as expressed in the federal Clean Water Act section 101(a)(2) and regulated under the REC-1 use, non-contact water recreation involving incidental water contact regulated under the REC-2 use, and the associated bacteriological objectives set to protect those activities. Water quality objectives set to protect (1) other recreational uses associated with the fishable goal as expressed in the federal Clean Water Act section 101(a)(2) and regulated under the REC-1 use and (2) other REC-2 uses (e.g., uses involving the aesthetic

aspects of water) shall remain in effect at all times for waters where the (av) footnote appears in Table 2-1a. The High Flow Suspension shall apply on days with rainfall greater than or equal to ½ inch and the 24 hours following the end of the ½-inch or greater rain event, as measured at the nearest local rain gauge, using local Doppler radar, or using widely accepted rainfall estimation methods. The High Flow Suspension only applies to engineered channels, defined as inland, flowing surface water bodies with a box, V-shaped or trapezoidal configuration that have been lined on the sides and/or bottom with concrete. The water bodies to which the High Flow Suspension applies are identified in Table 2-1a in the column labeled “High Flow Suspension”.

Commercial and Sport Fishing (COMM)

Uses of water for commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes.

Aquaculture (AQUA)

Uses of water for aquaculture or mariculture operations including, but not limited to, propagation, cultivation, maintenance, or harvesting of aquatic plants and animals for human consumption or bait purposes.

Warm Freshwater Habitat (WARM)

Uses of water that support warm water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Cold Freshwater Habitat (COLD)

Uses of water that support cold water ecosystems including, but not limited to, preservation or enhancement of aquatic habitats, vegetation, fish, or wildlife, including invertebrates.

Inland Saline Water Habitat (SAL)

Uses of water that support inland saline water ecosystems including, but not limited to, preservation or enhancement of aquatic saline habitats, vegetation, fish, or wildlife, including invertebrates.

Estuarine Habitat (EST)

Uses of water that support estuarine ecosystems including, but not limited to, preservation or enhancement of estuarine habitats, vegetation, fish, shellfish, or wildlife (e.g., estuarine mammals, waterfowl, shorebirds).

Wetland Habitat (WET)

Uses of water that support wetland ecosystems, including, but not limited to, preservation or enhancement of wetland habitats, vegetation, fish, shellfish, or wildlife, and other unique wetland functions which enhance water quality, such as providing flood and erosion control, stream bank stabilization, and filtration and purification of naturally occurring contaminants.

Marine Habitat (MAR)

Uses of water that support marine ecosystems including, but not limited to, preservation or enhancement of marine habitats, vegetation such as kelp, fish, shellfish, or wildlife (e.g., marine mammals, shorebirds).

Wildlife Habitat (WILD)

Uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources.

Preservation of Biological Habitats (BIOL)

Uses of water that support designated areas or habitats, such as Areas of Special Biological Significance (ASBS), established refuges, parks, sanctuaries, ecological reserves, or other areas where the preservation or enhancement of natural resources requires special protection. The following coastal waters have been designated as ASBS in the Los Angeles Region. For detailed descriptions of their boundaries see the Ocean Plan discussion in Chapter 5, Plans and Policies:

- San Nicolas Island and Begg Rock
- Santa Barbara Island and Anacapa Island
- San Clemente Island
- Mugu Lagoon to Latigo Point
- Santa Catalina Island, Subarea One, Isthmus Cove to Catalina Head
- Santa Catalina Island, Subarea Two, North End of Little Harbor to Ben Weston Point

- Santa Catalina Island, Subarea Three, Farnsworth Bank Ecological Reserve
- Santa Catalina Island, Subarea Four, Binnacle Rock to Jewfish Point

The following areas are designated Ecological Reserves or Refuges:

- Channel Islands National Marine Sanctuary
- Santa Barbara Island Ecological Reserve
- Anacapa Island Ecological Reserve
- Catalina Marine Science Center Marine Life
- Point Fermin Marine Life Refuge
- Farnsworth Bank Ecological Reserve
- Lowers Cove Reserve
- Abalone Cove Ecological Reserve
- Big Sycamore Canyon Ecological Reserve

Rare, Threatened, or Endangered Species (RARE)

Uses of water that support habitats necessary, at least in part, for the survival and successful maintenance of plant or animal species established under state or federal law as rare, threatened, or endangered.

Migration of Aquatic Organisms (MIGR)

Uses of water that support habitats necessary for migration, acclimatization between fresh and salt water, or other temporary activities by aquatic organisms, such as anadromous fish.

Spawning, Reproduction, and/or Early Development (SPWN)

Uses of water that support high quality aquatic habitats suitable for reproduction and early development of fish.

Shellfish Harvesting (SHELL)

Uses of water that support habitats suitable for the collection of filter-feeding shellfish (e.g., clams, oysters, and mussels) for human consumption, commercial, or sports purposes.

Tribal Tradition and Culture (CUL)

Uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways² of California Native American Tribes, including, but not limited to: navigation, ceremonies, or fishing, gathering, or consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.

Tribal Subsistence Fishing (T-SUB)

Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities of California Native American Tribes to meet needs for sustenance.

Subsistence Fishing (SUB)

Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities to meet needs for sustenance.

Beneficial Uses for Specific Waterbodies

Tables 2-1 through 2-4 list the major regional waterbodies and their designated beneficial uses. These tables are organized by waterbody type: (i) inland surface waters (rivers, streams, lakes, and inland wetlands), (ii) ground water, (iii) coastal waters (bays, estuaries, lagoons, harbors, beaches, and ocean waters), and (iv) coastal wetlands. Within Tables 2-1 and 2-1a waterbodies are organized by major watersheds. Twelve digit Hydrologic unit codes are noted in the surface water tables (2-1, 2-1a, 2-3, and 2-4) as a cross reference to the Watershed Boundary Dataset developed by the United States Geological Survey (2007). For those surface waterbodies that cross into other hydrologic units, such waterbodies appear more than once in a table. Furthermore, certain coastal waterbodies are duplicated in more than one table for completeness (e.g., many lagoons are listed both in inland surface waters and in coastal features tables). Major groundwater basins are classified in Table 2-2 according to the Department of Water Resources

² Any customs, practices, or art of a California Native American Tribe

Bulletin No.119 – Update 2003. A series of maps (Figures 2-1 to 2-22) illustrates regional surface waters, ground waters, and major harbors.

The Regional Board contracted with the California Department of Water Resources for a study of beneficial uses and objectives for the upper Santa Clara River (DWR, 1989) and for another study of the beneficial uses and objectives the Piru, Sespe, and Santa Paula Hydrologic areas of the Santa Clara River (DWR, 1993). In addition, the Regional Board contracted with Dr. Prem Saint of California State University at Fullerton to survey and research beneficial uses of all waterbodies throughout the Region (Saint, et al., 1993a and 1993b). Information from these studies was used to update this Basin Plan.

State Board Resolution No. 88-63 (Sources of Drinking Water) followed by Regional Board Resolution No. 89-03 (Incorporation of Sources of Drinking Water Policy into the Water Quality Control Plans (Basin Plans)) states that " All surface and ground waters of the State are considered to be suitable, or potentially suitable, for municipal or domestic waters supply and should be so designated by the Regional Boards ... [with certain exceptions which must be adopted by the Regional Board]." In adherence with these policies, all inland surface and ground waters have been designated as MUN - presuming at least a potential suitability for such a designation.

These policies allow for Regional Boards to consider the allowance of certain exceptions according to criteria set forth in SB Resolution No. 88-63. While supporting the protection of all waters that may be used as a municipal water supply in the future, the Regional Board realizes that there may be exceptions to this policy.

In recognition of this fact, the Regional Board will soon implement a detailed review of criteria in the State Sources of Drinking Water policy and identify those waters in the Region that should be excepted from the MUN designation. Such exceptions will be proposed under a special Basin Plan Amendment and will apply exclusively to those waters designated as MUN under SB Res. No. 88-63 and RB Res. No. 89- 03.

In the interim, no new effluent limitations will be placed in Waste Discharge Requirements as a result of these designations until the Regional Board adopts this amendment.

The following sections summarize general information regarding beneficial uses designated for the various waterbody types.

Inland Surface Waters

Inland surface waters consist of rivers, streams, lakes, reservoirs, and inland wetlands. Beneficial uses of these inland surface waters and their tributaries (which are graphically represented on Figures 2-1 to 2-10) are designated on Tables 2-1 and 2-1a.

Beneficial uses of inland surface waters generally include REC-1 (swimmable) and WARM, COLD, SAL, or COMM (fishable), reflecting the goals of the federal Clean Water Act. In addition, inland waters are usually designated as IND, PRO, REC-2, WILD, and are sometimes designated as BIOL and RARE. In a few cases, such as reservoirs used primarily for drinking water, REC-1 uses can be restricted or prohibited by the entities that manage these waters. Many of these reservoirs, however, are designated as potential for REC-1, again reflecting federal goals. Furthermore, many regional streams are primary sources of replenishment for major groundwater basins that supply water for drinking and other uses, and as such must be protected as GWR. Inland surface waters that meet the criteria mandated by the *Sources of Drinking Water Policy* (which became effective when the State Board adopted Resolution No. 88-63 in 1988) are designated MUN. (This policy is reprinted in Chapter 5, Plans and Policies).

Under federal law, all surface waters must have water quality standards designated in the Basin Plans. Most of the inland surface waters in the Region have beneficial uses specifically designated for them. Those waters not specifically listed (generally smaller tributaries) are designated with the same beneficial uses as the streams, lakes, or reservoirs to which they are tributary. This is commonly referred to as the "tributary rule."

Ground Waters

Beneficial uses for regional groundwater basins (Figure 1-9) are designated on Table 2-2. For reference, Figures 2-11 to 2-18 show enlargements of all of the major basins and sub-basins referred to in the ground water beneficial use table (Table 2-2) and the water quality objective table (Table 3-8) in Chapter 3.

Many groundwater basins are designated MUN, reflecting the importance of ground water as a source of drinking water in the Region and as required by the State Board's *Sources of Drinking Water Policy*. Other beneficial uses for ground water are generally IND, PROC, and AGR. Occasionally, ground water is used for other purposes (e.g., ground water pumped for use in aquaculture operations at the Fillmore Fish Hatchery).

Coastal Waters

Coastal waters in the Region include bays, estuaries, lagoons, harbors, beaches, and ocean waters. Beneficial uses for these coastal waters provide habitat for marine life and are used extensively for recreation, boating, shipping, and commercial and sport fishing, and are accordingly designated in Table 2-3. Figures 2-19 to 2-22 show specific sub-areas of some of these coastal waters.

Wetlands

Wetlands include freshwater, estuarine, and saltwater marshes, swamps, mudflats, and riparian areas. As the California Water Code (§13050[e]) defines "waters of the state" to be "any water, surface or underground, including saline waters, within the boundaries of the state," natural wetlands are therefore entitled to the same level of protection as other waters of the state.

Wetlands also are protected under the Clean Water Act, which was enacted to restore and maintain the physical, chemical, and biological integrity of the nation's waters, including wetlands. Regulations developed under the CWA specifically include wetlands "as waters of the United States" (40 CFR 116.3) and defines them as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Although the definition of wetlands differs widely among federal agencies, both the

USEPA and the U.S. Army Corps of Engineers use this definition in administrating the 404 permit program.

Recently, both state and federal wetlands policies have been developed to protect these valuable waters. Executive Order W-59-93 (signed by Governor Pete Wilson on August 23, 1993) established state policy guidelines for wetlands conservation. The primary goal of this policy is to ensure no overall net loss and to achieve a long-term net gain in the quantity, quality, and permanence of wetland acreage in California. The federal wetlands policy, representing a significant advance in wetlands protection, was unveiled by nine federal agencies on August 24, 1993. This policy represents an agreement that is sensitive to the needs of landowners, more efficient, and provides flexibility in the permit process.

The USEPA has requested that states adopt water quality standards (beneficial uses and objectives) for wetlands as part of their overall effort to protect the nation's water resources. The 1975 Basin Plans identified a number of waters which are known to include wetlands; these wetlands, however, were not specifically identified as such. In this Basin Plan, a wetlands beneficial use category has been added to identify inland waters that support wetland habitat as well as a variety of other beneficial uses. The wetlands habitat definition recognizes the uniqueness of these areas and functions they serve in protecting water quality. Tables 2-1a and 2-4 identifies and designates beneficial uses for significant coastal wetlands in the Region. These waterbodies are also included on Tables 2-1 and 2-3. Beneficial uses of wetlands include many of the same uses designated for the rivers, lakes, and coastal waters to which they are adjacent, and include REC-1, REC-2, WARM, COLD, EST, MAR, WET, GWR, COMM, SHELL, MIGR, SPWN, WILD and often RARE or BIOL.

As some wetlands cannot be easily identified in southern California because of the hydrologic regime, the Regional Board identifies wetlands using indicators such as hydrology, presence of hydrophytic plants (plants adapted for growth in water), and/or hydric soils (soils saturated for a period of time during the growing season). The Regional Board contracted with Dr. Prem Saint, et al. (1993a and 1993b), to inventory and describe major regional wetlands. Information from this study was used to update this Basin Plan.