

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

Resolution No. R15-0XX

Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate Stakeholder-Proposed Groundwater Quality Control Measures for Salts and Nutrients in the Central and West Coast Groundwater Basins

February 12, 2015

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) finds that:

1. The State Water Resources Control Board (State Water Board) adopted the Policy for Water Quality Control for Recycled Water (Recycled Water Policy or Policy) (State Water Board Resolution No. 2009-0011) in February 2009, which was amended in January 2013 (State Water Board Resolution No. 2013-0003). The goal of this Policy is to increase the use of recycled water from municipal wastewater sources that meet the definition in Water Code section 13050(n) in a manner that implements State and federal water quality laws.
2. The Recycled Water Policy is intended to support the State Water Board's 2008-2012 Strategic Plan priority to promote sustainable water supplies. Increasing the acceptance and promoting the use of recycled water is a means toward achieving sustainable water supplies and can result in the reduction of greenhouse gases, a significant driver of climate change. The Policy is also intended to encourage beneficial use of recycled water, rather than solely discharging it to receiving waters.
3. In developing the Policy, the State Water Board recognized that increased use of recycled water, in conjunction with other applications/discharges, may result in salt and nutrient loads to groundwater basins that could result in exceedances of groundwater quality objectives. Therefore, the Policy contains a requirement that salts and nutrients from all sources be managed on a basin-wide scale or watershed scale through the development of Salt and Nutrient Management Plans (SNMPs).
4. Per the Recycled Water Policy, SNMPs must be developed for every groundwater basin/sub-basin in California. The plans should address water quality concerns in each basin/sub-basin and identify and implement management strategies for all sources of salts and nutrients to groundwater basins, including recycled water irrigation projects and groundwater recharge projects.
5. The SNMPs are to be developed by local water and wastewater entities, together with local salt/nutrient contributing stakeholders through a collaborative process open to all interested persons. The SNMPs are to be completed and proposed to the Regional Water Boards no more than seven years of the effective date of the Policy (or by May 14, 2016). The Policy also directs the Regional Water Board to consider incorporating the implementation programs contained in these SNMPs into its water quality control plan within one year of their submission to the Regional Water Board.

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6. The SNMPs are required to contain: (i) water recycling and stormwater recharge goals and objectives, (ii) salt and nutrient source identification, (iii) implementation measures to manage salt and nutrient loading in the basin on a sustainable basis, (iv) an anti-degradation analysis demonstrating that the projects included within the plan will collectively satisfy the requirement of State Water Board Resolution No. 68-16 (“Statement of Policy With Respect to Maintaining High Quality of Waters in California”, the State’s anti-degradation policy, (v) a basin/sub-basin wide monitoring plan that includes the appropriate network of monitoring locations, and (vi) a provision for annual monitoring of Constituents of Emerging Concern.
7. For purposes of regulation by the Regional Water Board pursuant to its authority under the California Water Code, the groundwater basins in the Los Angeles Region are identified in Chapter 2 of the Water Quality Control Plan for the Los Angeles Region (Basin Plan). Chapter 2 of the Basin Plan also sets forth the beneficial uses of these groundwater basins (primarily municipal and domestic supply (MUN as well as agricultural supply (AGR), industrial process supply (PROC) and industrial service supply (IND). Water quality objectives to protect these uses and to prevent degradation of existing water quality are set forth in Chapter 3 of the Basin Plan. Programs of implementation to attain the water quality objectives are set forth in Chapter 4 of the Basin Plan.
8. In November 2010, consistent with a State Water Board directive to Regional Water Boards to initiate and facilitate the SNMP development process, Regional Water Board staff conducted the first region-wide stakeholder SNMP workshop. At this workshop, stakeholders were provided with information regarding the SNMP requirements of the Recycled Water Policy, along with the opportunity for discourse with different groundwater basin stakeholder groups.
9. Stakeholders and interested persons for the Central Basin and West Coast Basin (CBWCB) collaborated to develop the SNMP for their basins. The lead agency of the planning effort is the Water Replenishment District of Southern California (WRD), which is the agency charged with managing the groundwater resources of both basins. The Los Angeles County Department of Public Works, West Basin Municipal Water District, Los Angeles Department of Water and Power, and the Sanitation Districts of Los Angeles County are funding partners with the WRD.
10. The Central Basin and West Coast Basin are located in southern Los Angeles County and underlay an area of 420 square miles that includes 43 cities. These basins provide 40% of the water supply used in the area. Historical overpumping in the area caused a significant drop in groundwater levels causing seawater intrusion that contaminated coastal groundwater aquifers. The WRD was formed to manage groundwater basins through groundwater recharge and deterrence of seawater intrusion.
11. The basin is intensively managed by the WRD through artificial groundwater recharge by way of spreading grounds, management of seawater intrusion barriers through injection, and the operation of de-salters to address the saline plume caused by historical overpumping. Recycled water is used primarily for groundwater recharge as well as for landscape irrigation and industrial and commercial process water.
12. Sources of water and salts and nutrients to the basins include imported water, recycled water, groundwater, and surface water/stormwater,. Aside from the areas impacted by

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seawater intrusion, salt and nutrient levels in most landward parts of the basins are not currently exceeding the groundwater quality objectives in the Basin Plan.

13. Central Basin and West Coast Basin stakeholders have prepared a detailed technical planning document containing all the elements outlined by the Recycled Water Policy. The document titled “Draft Salt and Nutrient Management Plan – Central Basin and West Coast Basin” is an integral part of this Regional Water Board action and was reviewed, considered and accepted by the Regional Water Board before acting. Further, this technical document provides the detailed factual basis and analysis supporting the assessment of current water quality conditions, the identification of salt and nutrient management measures, and the projected water quality impacts for this groundwater quality management tool.
14. The public has had reasonable opportunity to participate in the review of the amendments to the Basin Plan. The WRD conducted seven public workshops to involve stakeholders in the development of each element of the SNMP. Regional Water Board staff has actively participated in these public meetings and other related meetings with the lead agency and consulting team. A Notice of Hearing was published in the Los Angeles Times on November 25, 2014, and circulated 45 days preceding the Los Angeles Water Board’s proposed action. Drafts of the Salt and Nutrient Management Plan, Substitute Environmental Document, proposed Basin Plan amendment language, and staff memorandum were released for public comment on November 25, 2014 to allow a 45-day public comment period in advance of the public hearing. The Regional Water Board responded to written and oral comments received from the public on the proposed action. On February 12, 2015, prior to the Regional Water Board’s action on this resolution, a public hearing was held to consider incorporation of salt and nutrient management measures for the Central Basin and West Coast Basin into the Basin Plan. The public had an opportunity to provide oral comments and testimony during the hearing.
15. The proposed management strategies for salt and nutrients are geared toward improving groundwater quality in impaired areas and maintaining high groundwater quality below water quality objectives in other areas, while providing the benefit of reduced reliance on imported water supplies. Therefore, the amendment is consistent with State Water Board Resolution No. 68-16.
16. This Basin Plan amendment meets the “necessity” standard of the California Administrative Procedures Act, Government Code section 11353(b), because the Recycled Water Policy requires that Regional Water Boards incorporate salt and nutrient management measures for groundwater basins into their respective basin plans within one year of the receipt of stakeholder developed salt and nutrient management plans. Also, Water Code section 13240 requires each regional water board’s basin plan to conform with any State policy for water quality control.
17. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards’ basin planning process as a “certified regulatory program” that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) requirements for preparing environmental documents (14 Cal. Code Regs. § 15251(g); 23 Cal. Code Regs. § 3782). A “substitute environmental document” (SED) was prepared for this project. The SED contains the

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required environmental documentation under the State Water Board's CEQA regulations. (23 Cal. Code Regs. § 3777.) The substitute environmental documents include the Salt and Nutrient Management Plan, a staff memorandum entitled "Groundwater Quality Protection Measures for Salt and Nutrients in the Los Angeles Region's Central and West Coast Basins", the environmental checklist, the comments and responses to comments, the basin plan amendment language, and this resolution. The project itself is the development of salt and nutrient management measures for the Central Basin and West Coast Basin. The CEQA checklist and other portions of the substitute environmental documents contain significant analysis and numerous findings related to impacts and mitigation measures.

18. A CEQA Scoping meeting was conducted on October 21, 2013, to solicit input from the public and interested stakeholders in determining the appropriate scope and content and management options of the proposed Salt and Nutrient Management Plan. This meeting fulfilled the requirements under CEQA (Public Resources Code, Section 21083.9). A notice of the CEQA Scoping meeting was sent to interested parties on October 8, 2013.
19. The foreseeable groundwater quality management methods under consideration also promote increased recycled water use, which is considered a significant environmental benefit.
20. Consistent with the Regional Water Board's substantive obligations under CEQA, the substitute environmental documents do not engage in speculation or conjecture, and only consider the reasonably foreseeable environmental impacts, including those relating to the methods of compliance, reasonably foreseeable feasible mitigation measures to reduce those impacts, and the reasonably foreseeable alternative means of compliance, which would avoid or reduce the identified impacts.
21. The draft SED incorporates mitigation that reduces to a level that is insignificant any adverse effects on the environment. From a program level perspective, incorporation of the mitigation measures described in the SED will foreseeably reduce impacts to less than significant levels.
22. The Basin Plan amendment incorporating groundwater quality management measures for salts and nutrients in the Central Basin and West Coast Basin will be submitted for review and approval by the State Water Board and the regulatory portions by the State Office of Administrative Law (OAL).
23. If during the State Water Board's approval process Regional Water Board staff, the State Water Board or State Water Board staff, or OAL determine that minor, non-substantive modifications to the language of the amendment are needed for clarity or consistency, the Executive Officer should make such changes consistent with the Regional Water Board's intent in adopting these groundwater quality control measures, and should inform the Board of any such changes.

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THEREFORE, BE IT RESOLVED THAT:

1. The Regional Water Board approves and adopts the CEQA substitute environmental documentation, which includes the Salt and Nutrient Management Plan, staff memorandum entitled “Groundwater Quality Protection Measures for Salt and Nutrients in the Los Angeles Region’s Central and West Coast Basins”, the environmental checklist, the comments and responses to comments, the basin plan amendment language, and this resolution, which was prepared in accordance with the requirements of the State Water Board’s certified regulatory CEQA process (as set forth in California Code of Regulations, title 23, section 3775, et seq.), Public Resources Code section 21159, and California Code of Regulations, title 14, section 15187, and directs the Executive Officer or designee to sign the environmental checklist.
2. After considering the entire record, including oral testimony at the hearing, pursuant to Water Code sections 13240 and 13242, the Regional Water Board hereby approves and adopts the groundwater quality control measures for salts and nutrients in the Central Basin and West Coast Basin, as proposed by stakeholders and reviewed by Regional Water Board staff and outlined in the proposed Basin Plan amendment. These strategies are designed to promote recycled water use while maintaining water quality conditions in the groundwater basins that support beneficial uses in a sustainable manner.
3. The salt and nutrient management strategies developed by local water entities in the Central Basin and West Coast Basin are voluntary measures that are designed to maintain water quality that is protective of beneficial uses. Except for the permitting of existing and proposed facilities/projects, further Regional Water Board action pertaining to these implementation measures geared toward controlling salt and nutrient loading to these basins will only be necessary where data and/or other information indicate that the projected water quality conditions are not being met.
4. The Regional Water Board is taking this action pursuant to the State Water Board’s Recycled Water Policy (Resolution No. 2009-0011 as amended by Resolution No. 2013-0003) in which the State Water Board directs the regional water boards to amend their basin plans to incorporate salt and nutrient management measures for each basin within 12 months of receipt of a Salt and Nutrient Management Plan.
5. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of California Water Code section 13245.
6. The Regional Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of California Water Code sections 13245 and 13246, and forward them to OAL for approval.
7. If during the approval process, Regional Water Board staff, the State Water Board or State Water Board staff, or OAL determines that minor, non-substantive modifications to the language of the amendments are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Regional Water Board of any such changes.

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I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on February 12, 2015.

Samuel Unger, P.E.
Executive Officer

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