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## Los Angeles Regional Water Quality Control Board

### **REVISED NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT**

**TO:** Interested Persons

**FROM:** LB Nye, Ph.D.  
Section Manager  
Regional Programs

**DATE:** August 30, 2022

**SUBJECT:** Revised Notice of Public Hearing for a Proposed Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Total Maximum Daily Load for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) will consider a proposed amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to revise the Total Maximum Daily Load (TMDL) for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters. 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.

#### **I. BACKGROUND**

The Los Angeles Water Board's Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) contains definitions and designations of beneficial uses of waters in the Los Angeles Region, water quality objectives to protect those beneficial uses, implementation programs and other actions to achieve these water quality objectives, including TMDLs for surface waters designated as impaired under section 303(d) of the federal Clean Water Act.

On May 5, 2011, the Los Angeles Water Board, by Resolution No. R11-008, amended the Basin Plan to establish a Total Maximum Daily Load (TMDL) for toxic pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters (2012 DC and Greater Harbor Waters TMDL). The TMDL addressed impairments in Dominguez Channel and Greater Harbor Waters due to heavy metals and organic pollutants including DDT and PCBs in one or more environmental media: water, sediment, or fish tissue. The 2012 DC and Greater Harbor Waters TMDL was subsequently approved by the State Water Resources Control Board (State Water Board) on February 7, 2012; the Office of Administrative of Law on March 21, 2012; and the U.S.EPA on March 23, 2012. The effective date of the TMDL is March 23, 2012, upon the approval of the U.S.EPA.

JAMES STAHL, ACTING CHAIR | RENEE PURDY, EXECUTIVE OFFICER

When approving the TMDL on February 7, 2012, the State Water Board directed State Water Board staff to prioritize development of the assessment methodology to support implementation of the Sediment Quality Objectives (SQOs) to protect human health as Part 2 of the State's SQOs, for consideration by the State Water Board. The State Water Board also directed the Los Angeles Water Board to carefully review and evaluate the results of special studies on foraging ranges of resident species and the linkages between pollutants concentrations in targeted species and sediment concentrations, including bioaccumulation dynamics, before reconsidering the waste load allocations and load allocations necessary to achieve fish tissue targets. Such a reconsideration could include revising the implementation schedule of the TMDL to achieve the fish tissue targets and/or revising, if appropriate, the numeric targets.

The State Water Board adopted the Amendment to the Water Quality Control Plan for Enclosed Bays and Estuaries –Sediment Quality Provisions (SQPs) under Resolution No. 2018-0028 on June 5, 2018 to address the application and implementation of two SQOs, including i) the application and implementation of the SQO protecting benthic organisms from direct exposure to pollutants in sediment which was included in the 2008 SQO Part 1; and ii) the application and implementation of the SQO protecting human consumers of resident sportfish from contaminants that bioaccumulate from sediment into fish tissue. The SQPs became effective upon approval by the U.S. EPA on March 11, 2019.

This reconsideration of the 2012 DC and Greater Harbor Waters TMDL incorporate:

- the updated SQPs, including SQOs for the protection of the benthic community and human health into compliance options for the Waste Load Allocations (WLAs) and Load Allocation (LAs) and the Implementation Sections of the TMDL
- additional source assessment and implementation recommendations for PCBs,
- additional linkage analysis
- revisions to monitoring requirements to require improved PCBs methods
- revisions of the fish tissue monitoring frequency to be consistent with sediment sampling
- other revisions to correct errors or for clarification.

## II. PUBLIC HEARING DATE AND LOCATION

The Los Angeles Water Board will hold a public hearing to consider amending the Basin Plan to revise the TMDL for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters, after hearing Board staff's presentation and public comments. The Los Angeles Water Board is expected to take formal action on the proposed amendments to update the Basin Plan. The Board is scheduled to consider this matter at its regularly scheduled board meeting on:

**Date:** Thursday, October 13, 2022

**Time:** 9:00 AM

**Place:** Please check the Los Angeles Water Board's website for location.

Please check the Los Angeles Water Board's website at: [Los Angeles Water Board's website](#) for the most up-to-date public hearing date and notification as they are subject to change. If there is not a quorum on the scheduled date of the public hearing, all items will be automatically continued to the next scheduled meeting.

### **III. SCOPE OF HEARING**

Interested persons may present relevant written and oral comments and evidence on the proposed Basin Plan amendment. Please be advised that comments or evidence concerning the appropriateness of any previously adopted Basin Plan amendment are not relevant to this action and will not be accepted or responded to. Comments shall be limited to the proposed revisions to the TMDL for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters.

### **IV. AVAILABILITY OF DOCUMENTS**

The draft tentative resolution, proposed Basin Plan Amendment, and staff report are available on the Los Angeles Water Board's website at:

[Los Angeles Waterboard TMDL website](#)

These documents are also available for inspection and copying between the hours of 8:00 AM and 4:30 PM at the following address:

California Regional Water Quality Control Board  
Los Angeles Region  
320 W. 4th Street, Suite 200  
Los Angeles, CA 90013

Arrangements for file review and/or obtaining copies of documents may be made by calling the Los Angeles Water Board at (213) 576-6600. Appointments are encouraged so the documents can be readily available upon arrival. Comments and responses to comments and other subsequent relevant documents will be available online as they are generated.

### **V. PUBLIC COMMENTS AND SUBMITTAL OF EVIDENCE**

Persons wishing to comment on the tentative resolution, proposed Basin Plan amendment, and the staff report for the Los Angeles Water Board to consider were invited to submit them in writing from May 27, 2022, to July 26, 2022. Untimely submittal of written comments will not be accepted or responded to by the Los Angeles Water Board.

Interested persons are also invited to attend the hearing and present oral comments to the Board. To the extent possible, oral presentations should summarize any submitted written comments and evidence. Oral comments are generally limited to 3 minutes each, but time limitations may be adjusted at the discretion of the Chair, depending on the number of persons wishing to be heard and other items before the Board. Interested persons seeking more than 3 minutes to present oral comments at the hearing must contact the Los Angeles Water Board staff contact identified below by October 3, 2022, to request additional time.

The State Water Board when considering approval of a regional water board's adoption of Basin Plan amendments may refuse to accept any comments that were not timely raised before the Regional Water Board. Therefore, interested persons are strongly encouraged to make all comments on this proposed action to the Los Angeles Water Board before or during the public hearing.

## **VI. FUTURE NOTIFICATIONS FROM STATE WATER BOARD**

Any person desiring to receive future notices from the State Water Board regarding its approval process for the proposed amendments must sign up for the [State Water Board Lyris List](#)

## **VII. LOS ANGELES WATER BOARD STAFF CONTACTS**

For additional information regarding the proposed TMDL Basin Plan amendment, please contact Thanhloan Nguyen at [Thanhloan.Nguyen@waterboards.ca.gov](mailto:Thanhloan.Nguyen@waterboards.ca.gov).