

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 – 0006

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE LOS ANGELES REGION INCORPORATING A TOTAL MAXIMUM DAILY LOAD
(TMDL) FOR TOXIC POLLUTANTS IN MARINA DEL REY HARBOR

WHEREAS:

1. On October 6, 2005, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted Resolution No. 2005-012 ([Attachment](#)) amending the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to incorporate a TMDL for toxic pollutants in Marina Del Rey Harbor (MDRH).
2. The Los Angeles Water Board prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and other State laws and regulations.
3. The Los Angeles Water Board found that the additions of this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
4. Los Angeles Water Board Resolution No. 2005-012 delegated to its Executive Officer authority to make minor, non-substantive corrections to the adopted amendment if needed for clarity or consistency. The State Water Board staff finds that provisions of the amendment, as adopted, warranted minor, non-substantive clarification of the language of various provisions. The Los Angeles Water Board Executive Officer has made the necessary corrections to the amendment.
5. If and when additional water bodies are listed on the 303(d) list due to copper from the use of antifouling paint on boat hulls, the State Water Board expects similar requirements will be imposed upon all such water bodies to the extent similar conditions exist. The TMDL requires further study to assess the contribution of water column discharges to sediment concentrations in the MDRH prior to requiring any action.
6. The State Water Board finds, in view of increasing impairment of coastal marinas from copper-based antifouling paints, that there is a need for statewide consistency in regulation.
7. To the extent that pollutant loadings from indirect atmospheric deposition over land are being conveyed to storm water discharges, these loadings are included in the storm water wasteload allocations. Recent studies have shown that atmospheric deposition of particulates containing trace metals in the urban areas of the Los Angeles Region are a substantial source of metals contaminants on land surfaces. (Sabin et al., 2005)¹.

¹ Sabin et al. "Contribution of trace metals from atmospheric deposition to stormwater runoff in small impervious urban catchment." Water Research 39 (2005) 3939-3937.

8. The State Water Board encourages local municipalities within the urban watersheds in the Los Angeles Region and Los Angeles County also to work with the South Coast Air Quality Management District and California Air Resource Board to further the identification and control of sources of trace metals in atmospheric deposition.
9. The Los Angeles Water Board will work with municipalities and Los Angeles County to encourage building designs and Best Management Practices (BMPs) that will retain pollutants on site and prevent the conveyance of pollutants from atmospheric deposition and other sources from being washed into storm water and discharged to MDRH and to other urban water bodies.
10. TMDL implementation provisions require no specific pollutant reductions from Municipal Separate Storm Sewer System and California Department of Transportation (Caltrans) storm water permits to be implemented within the first six years, during which the Los Angeles Water Board will re-assess the Marina del Rey Toxic Pollutants TMDL to consider the results of special studies.
11. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation of water quality standards. The State Water Board also finds that the TMDL as reflected in the Basin Plan amendment is consistent with the requirements of federal Clean Water Act section 303(d).
12. A Basin Plan amendment does not become effective until approved by State Water Board and until the regulatory provisions are approved by Office of Administrative Law (OAL). The U.S. Environmental Protection Agency (USEPA) must also approve the TMDL.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Los Angeles Water Board Basin Plan to incorporate a TMDL for toxic pollutants in Marina del Rey Harbor as adopted in Los Angeles Water Board Resolution No. 2005-012.
2. Authorizes the Executive Director to transmit the amendment and administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned, Acting Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on January 13, 2006.

AYE: Tam M. Doduc
Richard Katz
Gerald D. Secundy

OPPOSED: None

ABSENT: Arthur G. Baggett, Jr.

ABSTAIN: None



Selica Potter
Acting Clerk to the Board