

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – LOS ANGELES REGIONAL WATER BOARD
DECEMBER 16, 2014**

ITEM 2

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION APPROVING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION (BASIN PLAN) TO REVISE WATER QUALITY OBJECTIVES AND THE TOTAL MAXIMUM DAILY LOAD (TMDL) FOR CHLORIDE IN THE UPPER SANTA CLARA RIVER.

DISCUSSION

The Los Angeles Water Board adopted a revision to a TMDL and water quality objectives for chloride in the upper Santa Clara River on October 9, 2014 as [Resolution No. R14-010](#). The Santa Clara River flows from northern Los Angeles County through Ventura County to the Pacific Ocean near the City of Oxnard. The Santa Clara River recharges aquifers and supports a vibrant agricultural economy including salt-sensitive crops such as avocados, strawberries and ornamental plants. Excessive levels of chloride in the upper Santa Clara River impair the Agricultural Supply beneficial use.

The major point sources that discharge chloride are the Valencia and Saugus Water Reclamation Plants, owned and operated by the Santa Clarita Valley Sanitation District of Los Angeles County (SCVSD). The purpose of this amendment is to facilitate SCVSD's implementation of the TMDL, which was originally adopted by the Los Angeles Water Board in 2004, and amended in 2006 and 2008, and attainment of water quality objectives for chloride. Since 2008, SCVSD has missed several interim implementation milestones for the TMDL, including development of a chloride compliance plan. Following Los Angeles Water Board enforcement actions, SCVSD approved a final chloride compliance plan in accordance with the terms of a settlement agreement.

In order to reduce costs of the chloride compliance plan and to provide adequate time before the regulatory deadline to implement the plan, SCVSD requested, and the Los Angeles Water Board adopted the following Basin Plan amendments:

- (1) The TMDL compliance deadline was revised from May 4, 2015 to July 2019 to provide time for permitting, design, construction, and start-up of the new facilities.
- (2) The chloride water quality objective for the upper Santa Clara River was revised to include a 3-month averaging period rather than the current application as an instantaneous maximum concentration.
- (3) The chloride water quality objectives in Reaches 5 and 6 and the corresponding TMDL WLAs for the Saugus and Valencia WRPs were revised in order to eliminate the need to pump reverse osmosis product water from the Valencia WRP to the Saugus WRP to meet 100 mg/L as a 3-month average in the discharge from both plants. The chloride water quality objectives for Reach 5 upstream of the Valencia WRP and Reach 6 were revised from 100 mg/L to 150 mg/L and a corresponding modification was made to the waste load allocation for the Saugus WRP. The Valencia WRP is now assigned a variable waste load allocation less than 100 mg/L as a 3-month rolling average, which would allow the Saugus

WRP to discharge up to 150 mg/L as a 3-month rolling average, while still meeting the numeric target of 100 mg/L as a 3-month rolling average in Reach 5 immediately downstream of the Valencia WRP. The TMDL revisions include interim milestones to ensure that the facilities needed to attain flow-weighted WLAs are constructed in time for the Saugus and Valencia WRPs to attain the final WLAs.

The proposed waste load allocations will be implemented through NPDES permits for the Valencia and Saugus WRPs. Permit conditions will be contingent upon participation by SCVSD in the Salt and Nutrient Management Plan (SNMP) stakeholder-led group or other efforts to reduce the effects of flow weighting on the quality of the underlying groundwater basins, including the alluvial basins underlying Reaches 5 and 6 and the Saugus Formation, as well as monitoring to assess any impacts to groundwater over time.

The proposed revisions are protective of beneficial uses and comply with antidegradation requirements. The Los Angeles Water Board has also considered the factors identified in California Water Code section 13241 when developing the proposed revisions.

POLICY ISSUE

Should the State Water Board approve an amendment to the Basin Plan to revise the TMDL for chloride in the upper Santa Clara River?

FISCAL IMPACT

The Los Angeles Water Board and State Water Board staff work associated with or resulting from this action will be addressed with existing and future budgeted resources.

REGIONAL BOARD IMPACT

Yes, approval of this resolution will amend the Los Angeles Water Board's Basin Plan.

STAFF RECOMMENDATION

That the State Water Board:

1. Approves the amendment to the Basin Plan adopted under Los Angeles Water Board Resolution No. R14-010.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Los Angeles Water Board Resolution No. R14-010 as approved, and the administrative record for this action to the Office of Administrative Law and the TMDL to the U.S. EPA for approval.

<p>State Water Board action on this item will assist the Water Boards in reaching Goal 1 of the Strategic Plan Update: 2008-2012 to implement strategies to fully support the beneficial uses for all 2006-listed water bodies by 2030. In particular, approval of this item will assist in fulfilling Objective 1.1 to implement a statewide strategy to efficiently prepare, adopt, and implement TMDLs, which result in water bodies meeting water quality standards, and adopt and begin implementation of TMDLs for all 2006-listed water bodies by 2019.</p>
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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2014-

APPROVING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION (BASIN PLAN) TO REVISE WATER QUALITY OBJECTIVES AND THE TOTAL MAXIMUM DAILY LOAD (TMDL) FOR CHLORIDE IN THE UPPER SANTA CLARA RIVER.

WHEREAS:

1. On October 9, 2014, the Regional Water Quality Control Board for the Los Angeles Region (Los Angeles Water Board) adopted [Resolution No. R14-010](#), an amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan amendment), to revise chloride water quality objectives and the Total Maximum Daily Load (TMDL) for Chloride in the upper Santa Clara River.
2. The Los Angeles Water Board prepared "Substitute Environmental Documents" for purposes of the California Environmental Quality Act (CEQA) for a prior revision of the TMDL and water quality objectives for chloride in the upper Santa Clara River, adopted by Los Angeles Water Board [Resolution No. 2008-012](#). These documents contained the required environmental documentation under the State Water Board's regulations for the implementation of CEQA, as set forth in the California Code of Regulations, Title 23, sections 3775 through 3781. The Los Angeles Water Board found that this Basin Plan amendment, adopted by Resolution No. R14-010, did not alter the environmental analysis that was prepared for the 2008 revision of the TMDL and water quality objectives because this Basin Plan amendment will not result in different implementation actions, effects upon the environment, or mitigation measures or alternatives, than those previously analyzed. Moreover, no additional reasonably foreseeable methods of compliance warrant environmental analysis pursuant to Public Resources Code section 21159 and California Code of Regulations, Title 14, section 15187. As such, the Los Angeles Water Board found that the Basin Plan amendment is consistent with the prior CEQA documentation and determined that no subsequent environmental documents shall be prepared, pursuant to California Code of Regulations, Title 14, section 15162. The State Water Board concurs with the Los Angeles Water Board's findings and determinations.
3. The Los Angeles Water Board also adopted the Basin Plan amendment pursuant to the "Necessity" standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
4. The Los Angeles Water Board found the Basin Plan amendment is consistent with the Statement of Policy with Respect to Maintaining High Quality of Waters in California ([State Water Board Resolution No. 68-16](#)) and the federal Antidegradation Policy (40 C.F.R. § 131.12), in that it does not allow degradation of water quality, but requires restoration of water quality and attainment of water quality standards.

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5. 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, section 13241, which pertains to the establishment of water quality objectives in basin plans by regional boards, and section 13242, which requires a program of implementation for achieving water quality objectives. The State Water Board also finds that the TMDL as reflected in the Basin Plan amendment is consistent with the requirements of section 303(d) of the federal Clean Water Act.
6. The Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The Basin Plan amendment must also receive approval from the U.S. Environmental Protection Agency (U.S. EPA) pursuant to Clean Water Act section 303(d), and section 303(c) as appropriate.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R14-010.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R14-010 to OAL for approval of the regulatory provisions and to U.S. EPA for approval.

CERTIFICATION

The undersigned 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 Resources Control Board held on December 16, 2014.

Jeanine Townsend
Clerk to the Board