
Los Angeles Regional Water Quality Control Board

TO: Interested Persons

FROM: LB Nye, PhD.
Regional Programs Section Manager

DATE: January 3, 2022

SUBJECT: NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENT TO ADD THREE NEW BENEFICIAL USE DEFINITIONS - TRIBAL TRADITION AND CULTURE (CUL), TRIBAL SUBSISTENCE FISHING (T-SUB), AND SUBSISTENCE FISHING (SUB) TO THE BASIN PLAN AND TO ADMINISTRATIVELY UPDATE CHAPTER 2 “BENEFICIAL USES”

The California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) will hold a public hearing to consider adopting an amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to add three new beneficial use definitions - tribal tradition and culture (CUL), tribal subsistence fishing (T- SUB), and subsistence fishing (SUB) and to administratively update Chapter 2 “Beneficial Uses” accordingly.

I. BACKGROUND

The Los Angeles Water Board's Water Quality Control Plan (Basin Plan) contains water quality standards for the coastal watersheds of Los Angeles and Ventura Counties in the Los Angeles Region. Chapter 2 of the Basin Plan contains beneficial uses that form the cornerstone of water quality protection in the region. Beneficial uses are mandated for all waterbodies within the state under the California Water Code. Since the first iteration of the Basin Plan in 1975, 25 beneficial uses have been identified by the Los Angeles Basin Plan.

On May 2, 2017, the State Water Resources Control Board (State Water Board) adopted Resolution No. 2017-0027, which approved “Part 2 of the Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions”. The provisions define the tribal tradition and culture (CUL), tribal subsistence fishing (T-SUB), and subsistence fishing (SUB) beneficial uses that should be used by Regional Water Quality Control Boards, including Los Angeles Water Board.

The proposed amendment to the Basin Plan will add three new beneficial use definitions to Chapter 2 of the Basin Plan: tribal tradition and culture (CUL), tribal subsistence fishing

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(T-SUB), and subsistence fishing (SUB). The proposed amendment is intended to update the Basin Plan with the more current information.

The proposed amendment also advances the Water Boards' commitment to making racial equity and environmental justice central to implementing the agency's mission (State Water Board Resolution No. 2021-0050). Part of the Water Boards' commitment in this regard is to recognize the important uses of water resources by California Native American Tribes for food sources and cultural, spiritual, and traditional ways of living and to improve communication, working relationships, and co-management practices with California Native American Tribes.

II. MEETING DATE

The Los Angeles Water Board will hold a public hearing to consider amending the Basin Plan to add three new beneficial use (TBU) definitions (tribal tradition and culture (CUL), tribal subsistence fishing (T-SUB), and subsistence fishing (SUB)). After hearing the Board staff's presentation and public comments, the Los Angeles Water Board is expected to take formal hearing on the proposed amendments to administratively update the Basin Plan. The Board hearing is scheduled on:

March 10, 2022

Time: 9:00 AM

Location: To be determined*

Please check the Los Angeles Water Board's website at:

[Meetings and Workshops | Los Angeles Regional Water Quality Control Board \(ca.gov\)](#) for the most up-to-date public hearing date and location 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. A continuance of the hearing will not automatically extend any deadlines set forth in this notice.

*Once a location is determined or if it is determined that the meeting will be conducted as a video and teleconference meeting, notice will be issued. Persons desiring to receive notice about the format or location of this meeting should sign up for the Electronic Mailing List ([Email List Subscription Form | Los Angeles Regional Board \(ca.gov\)](#)) (Select Basin Planning– Regional Basin Plan Amendments).

III. SCOPE OF HEARING

Interested persons may present relevant written and oral comments or evidence on the proposed Basin Plan amendments. Please be advised that comments or evidence concerning the appropriateness of any previously adopted Basin Plan amendments are not relevant to this action and will not be accepted or responded to. Comments shall be limited to the proposed adoption of three beneficial use definitions - tribal tradition and culture (CUL), tribal subsistence fishing (T- SUB), and subsistence fishing (SUB).

IV. AVAILABILITY OF DOCUMENTS

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

[Basin Plan | Los Angeles Regional Water Quality Control Board \(ca.gov\)](https://www.waterboards.ca.gov/basinplan/).

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 or submit evidence on the proposed Basin Plan amendment for the Los Angeles Water Board to consider are invited to submit them in writing. To be evaluated and responded to by Board staff, all written comments and evidence must be received **no later than 5:00 PM on February 17, 2022**. Untimely submittal of written comments will not be accepted or responded to by the Los Angeles Water Board.

Interested persons are encouraged to submit comments electronically to losangeles@waterboards.ca.gov and a copy to Stefani.Daryanto@Waterboards.ca.gov with the subject line "**Comment Letter – Addition of TBU Definitions to the Basin Plan**". Written comments submitted through email are requested to be transmitted in Microsoft Word format. Where electronic submittal is not feasible, comments should be submitted to:

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

Failure to comply with these requirements is grounds for the Los Angeles Water Board to refuse to admit the proposed written comment or exhibit into evidence pursuant to section 649.4, Title 23 of the California Code of Regulations.

Interested persons are also invited to attend the hearing and present oral comments to the Los Angeles Water Board. To the extent possible, oral presentations should summarize any submitted written comments and evidence. If a person intends to use a PowerPoint presentation or other visual aids, they must be received by the Los Angeles

Water Board's IT Department, to the attention of khalid.abdullah@waterboards.ca.gov and a copy to Stefani.Daryanto@waterboards.ca.gov at least 48 hours prior to the meeting and will not be accepted after that time. 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 above by **February 24, 2022 at 5:00 PM** to request additional time.

When considering approval of a Regional Water Board's adoption of Basin Plan amendments, the State Water Board 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

Any person desiring to receive future notices from the Los Angeles Water Board regarding the proposed amendment must sign up for the Los Angeles Water Board's Lyris list at: [Email List Subscription Form | Los Angeles Regional Board \(ca.gov\)](#)

VII. LOS ANGELES WATER BOARD STAFF CONTACTS

For additional information regarding this proposed action, please contact Dr. Stefani Daryanto at Stefani.Daryanto@Waterboards.ca.gov or 213-576-6763.