STATE WATER BOARD
RESOLUTION NO. 2005-0077

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION INCORPORATING A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR METALS FOR THE LOS ANGELES RIVER AND ITS TRIBUTARIES

WHEREAS:

1. The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted a revised Water Quality Control Plan for the Los Angeles Region (Basin Plan) on June 13, 1994, which was approved by the State Water Resources Control Board (State Water Board) on November 17, 1994 and by the Office of Administrative Law (OAL) on February 23, 1995.

2. On June 2, 2005, the Los Angeles Water Board adopted Resolution No. R05-006 (Attachment) amending the Basin Plan to incorporate a TMDL for metals for the Los Angeles River and its tributaries.

3. 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.

4. 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.

5. To the extent that pollutant loadings from indirect atmospheric deposition over land are being conveyed to stormwater discharges, these loadings are included in the stormwater waste load 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]. The Los Angeles Water Board met with the South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB) to discuss the findings of recent studies. It appears that larger particulates are responsible for the highest loadings of metals in atmospheric deposition, and therefore pose the greatest risk to water quality. The two agencies have identified the need to (1) expand monitoring of larger particulates in atmospheric deposition to better gage the potential impact to water quality and (2) to investigate the sources of these metals in order to design a control strategy. The Los Angeles Water Board and the State Water Board will continue to meet with the SCAQMD and CARB to pursue these studies and to assist in developing control strategies.

6. 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 SCAQMD and CARB to further the identification and control of sources of trace metals in atmospheric deposition.

7. The Los Angeles Water Board will work with municipalities and Los Angeles County to encourage building designs and BMPs that will retain pollutants on site and prevent the conveyance of pollutants from atmospheric deposition and other sources from being washed off into storm water and discharged to the Los Angeles River, Ballona Creek, and other urban waterbodies.

8. TMDL implementation provisions require no specific pollutant reductions from MS4 and Caltrans stormwater permits to be implemented within the first 6 years, during which period the Los Angeles Water Board will re-assess the Los Angeles River Metals TMDLs to consider the results of special studies. These

[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.

studies will include joint studies supported by the State Water Board, the Los Angeles Water Board, SCAQMD and CARB. Potential modifications to the TMDL may include re-assigning load allocations or waste load allocations to confirmed sources of metals from atmospheric deposition and modification of the implementation schedule. The State Water Board intends to reassess the TMDL, on its own motion, if the Los Angeles Water Board does not do so on a timely basis.

9. 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).

10. A Basin Plan amendment does not become effective until approved by State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also be approved by the U.S. Environmental Protection Agency (USEPA).

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 metals for the Los Angeles River and its tributaries as adopted in Los Angeles Water Board Resolution No. R05-006.

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, 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 October 20, 2005.

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

OPPOSED: Arthur G. Baggett

ABSENT: Peter S. Silva

ABSTAIN: None.

Debbie Irvin
Clerk to the Board