

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
OCTOBER 7, 2008**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION (BASIN PLAN) TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR BACTERIA IN THE HARBOR BEACHES OF VENTURA COUNTY (KIDDIE BEACH AND HOBIE BEACH)

**DISCUSSION**

On November 1, 2007, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted [Resolution No. R2007-017](#) amending the Basin Plan to incorporate a total maximum daily load (TMDL) for bacteria in the Harbor Beaches of Ventura County. Kiddie Beach and Hobie Beach are two small beaches located inside the entrance to the Channel Islands Harbor in Ventura County. The area surrounding the two beaches and the harbor mainly consists of residential housing including the Silver Strand development. In addition, the U.S. Naval Construction Battalion Center at Port Hueneme is located to the east of the harbor, which includes private boat yards, commercial fishing enterprises, a Coast Guard Station, and public and private marinas. Kiddie Beach and Hobie Beach are listed on the 2006 State of California Clean Water Act (CWA) section 303(d) list of water quality-limited segments because they do not meet water quality standards for indicator bacteria and they have too many exceedances of bacteria numeric limits measured in water that is ankle- to knee-high in depth.

The beneficial uses most affected by elevated levels of bacteria at Kiddie Beach and Hobie Beach includes water contact recreation (REC-1) and non-contact water recreation (REC-2). Because the Harbor Beaches of Ventura County are listed as not meeting water quality standards, section 303(d) of the CWA requires that a TMDL be established. A TMDL specifies load allocations for nonpoint sources and waste load allocations for point sources that, when implemented, are expected to result in attainment of applicable water quality standards. The proposed TMDL addresses impairments of water quality caused by bacteria, and includes an Implementation Plan, which has been developed to achieve water quality standards for bacteria in the Harbor Beaches of Ventura County.

**TMDL**

The Basin Plan objectives for marine waters designated for REC-1 are as follows:

1. Rolling 30-day Geometric Mean Limits
  - a. Total coliform density shall not exceed 1,000/100 milliliter (mL)
  - b. Fecal coliform density shall not exceed 200/100 mL.
  - c. Enterococcus density shall not exceed 35/100 mL.

## 2. Single Sample Limits

- a. Total coliform density shall not exceed 10,000/100 mL.
- b. Fecal coliform density shall not exceed 400/100 mL.
- c. Enterococcus density shall not exceed 104/100 mL.
- d. Total coliform density shall not exceed 1,000/100 mL, if the ratio of fecal-to-total coliform exceeds 0.1.

Protection of REC-1 beneficial uses will result in the protection of REC-2 beneficial uses, because REC-1 bacteria objectives are more stringent than REC-2 bacteria objectives.

The amendment establishes waste load allocations for point source discharges, load allocations for nonpoint source discharges, and interim allocations, which are expressed as “allowable exceedance days.” Allowable exceedance days only apply to days in which single sample limits are exceeded, and does not apply to days where geometric mean limits are exceeded. Allowable exceedance days are further separated into three separate time periods: summer dry-weather, winter dry-weather, and wet-weather. The amendment establishes an implementation plan for complying with allocations, with separate final compliance dates of five years for dry-weather and ten years for wet-weather, given the different conditions and implementation approaches necessary to achieve compliance.

Responsible parties shall propose workplans for Los Angeles Water Board Executive Officer approval that address source control and Best Management Practices (BMPs), including but not limited to structural and non-structural BMPs, at Kiddie Beach and Hobie Beach during dry and wet weather. Upon workplan approval, responsible parties must implement source control and BMPs at Kiddie Beach and Hobie Beach to address the elevated levels of indicator bacteria. Agricultural dischargers in the subwatershed are also required to submit a monitoring plan for Los Angeles Water Board Executive Officer approval, and then they must implement monitoring six months after approval of the plan. Responsible parties must comply with load and waste load allocations for bacteria in the Harbor Beaches of Ventura County within ten years of the TMDL’s effective date.

### **POLICY ISSUE**

Should the State Water Resources Control Board (State Water Board) approve the amendment to the Basin Plan to incorporate a TMDL for bacteria in the Harbor Beaches of Ventura County (Kiddie Beach and Hobie Beach) as adopted under Los Angeles Water Board Resolution No. R2007-017?

### **FISCAL IMPACT**

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 WATER 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 as adopted under Los Angeles Water Board Resolution No. R2007-017.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Los Angeles Water Board Resolution No. R2007-017 to the Office of Administrative Law for approval of the regulatory provisions and the U.S. Environmental Protection Agency for approval of the TMDL.

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION (BASIN PLAN) TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR BACTERIA IN THE HARBOR BEACHES OF VENTURA COUNTY (KIDDIE BEACH AND HOBIE BEACH)

### WHEREAS:

1. On November 1, 2007, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted [Resolution No. R2007-017](#) amending the Basin Plan to incorporate a total maximum daily load (TMDL) for bacteria in the Harbor Beaches of Ventura County.
2. The Los Angeles Water Board's goal in incorporating the TMDL for bacteria is to reduce the risk of illness associated with swimming in marine waters contaminated with high densities of indicator bacteria. In addition, the TMDL aims to protect both contact and non-contact recreation beneficial uses.
3. Los Angeles Water Board found that the analysis contained in the Final Project Report, the California Environmental Quality Act (CEQA) "Substitute Document" for the proposed Basin Plan amendment, including the CEQA Checklist, the staff report, the responses to comments, and the Resolution prepared by Los Angeles Water Board staff complies with the requirements of the State Water Resources Control Board's (State Water Board's) certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq.
4. The State Water Board finds that in amending the Basin Plan to incorporate this TMDL, the Los Angeles Water Board complied with the requirements set forth in sections 13240, 13242, and 13269 of the California Water Code. The State Water Board also finds that the TMDL is consistent with the requirements of federal Clean Water Act section 303(d).
5. The Los Angeles Water Board found that adoption of this amendment is consistent with the State Antidegradation Policy ([State Water Board Resolution No. 68-16](#)), in that the water quality objectives (i) consider maximum benefits to the people of the state, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies.
6. Numeric targets expressed as loading capacities for the TMDL are based on the specific numeric water quality objectives provided in the Basin Plan. Compliance with the targets will be based on a ten-year implementation schedule.
7. A 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 TMDL must also be approved by the U.S. Environmental Protection Agency (U.S. EPA).

# **D R A F T**

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan as adopted under Los Angeles Water Board Resolution No. R2007-017.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Los Angeles Water Board Resolution No. R2007-017 to OAL for approval of the regulatory provisions and the USEPA to approve the TMDL.

## **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 October 7, 2008.

---

Jeanine Townsend  
Clerk to the Board