

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2006 – 0078**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN  
FOR THE LOS ANGELES REGION ESTABLISHING TOTAL MAXIMUM DAILY LOADS  
(TMDLs) FOR METALS AND SELENIUM IN CALLEGUAS CREEK,  
ITS TRIBUTARIES, AND MUGU LAGOON

**WHEREAS:**

1. On June 8, 2006, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted Resolution No. R4-2006-012 ([Attachment](#)) amending the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to incorporate TMDLs for Metals and Selenium in Calleguas Creek, its Tributaries, and Mugu Lagoon.
2. The Los Angeles Water Board found that the basin planning documents together with an environmental checklist contain the required environmental documentation under the California Environmental Quality Act (23 California Code of Regulations §3777).
3. The Los Angeles Water Board found that the proposed amendment could have significant adverse impacts on earth, air, water, plants and animals, noise, land use, upset, transportation, housing, public service, utilities, human health aesthetics, and recreation. Specific projects employed to implement the TMDL may have significant impacts, but these impact are expected to be limited, short-term or may be mitigated through design and scheduling. The Los Angeles Water Board found that there are feasible alternatives, feasible mitigation measures, or both, that would substantially lessen any significant impact. The Los Angeles Water Board found that, to the extent that alternatives, mitigation measures, or both, are not deemed feasible by the implementing agencies, the necessity of implementing the federally required metals TMDL and removing metals-related toxicity outweigh unavoidable environmental effects that may be associated with implementing the TMDLs.
4. The Los Angeles Water Board found that the additions of this amendment would be consistent with the State Antidegradation Policy (State Water Resources Control Board [State Water Board] Resolution No. 68-16) and federal antidegradation requirements.
5. Lower reaches of the Calleguas Creek watershed, including Revolon Slough, Lower Calleguas Creek-Reach 2, and Mugu Lagoon, have been identified under the federal Clean Water Act section 303(d) because they do not meet water quality standards due to elevated concentrations of copper, mercury, nickel, selenium, and zinc in water.
6. The proposed amendment establishes numeric targets for copper, mercury, nickel, selenium, and zinc in water, sediment, fish tissue, and bird eggs.
7. The proposed amendment establishes an implementation program to reduce metals and selenium loads into the lower Calleguas Creek watershed, including the loading capacity and allocation requirements of a TMDL.
8. The proposed amendment includes a water, sediment, fish tissue, and bird egg monitoring program that allows the Los Angeles Water Board to assess progress in reducing metals and selenium concentrations.

9. The proposed amendment requires Publicly Owned Treatment Works (POTWs), agricultural dischargers, and urban dischargers including municipal separate storm sewer systems, California Department of Transportation, the Naval Air Weapons Station at Point Mugu, and general industrial and construction permittees to reduce metals and selenium loads to the lower watershed. TMDL implementation provisions require phased percentage pollutant reductions from POTWs and agricultural and urban dischargers in five to 15 years. Periodically, the Los Angeles Water Board will re-assess the TMDL to consider the results of special studies and evaluations of Best Management Practices (BMPs) effectiveness.
10. 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 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)<sup>1</sup>. 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) 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 SCAQMD and CARB to pursue these studies and to assist in developing control strategies.
11. The State Water Board encourages local municipalities within the urban watersheds in the Los Angeles Region and Los Angeles County to work with SCAQMD and CARB to further the identification and control of sources of trace metals in atmospheric deposition.
12. 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 Calleguas Creek, its tributaries, and Mugu Lagoon, and to other urban water bodies.
13. 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).
14. 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 U.S. Environmental Protection Agency (USEPA) must also approve the TMDLs.

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

**THEREFORE BE IT RESOLVED THAT:**

The State Water Board:

1. Approves the amendment to the Los Angeles Water Board Basin Plan to establish TMDLs for Metals and Selenium in Calleguas Creek, its tributaries, and Mugu Lagoon, as adopted in Los Angeles Water Board Resolution No. R4-2006-012.
2. Authorizes the Executive Director or designee to transmit the amendment and administrative record for this action to OAL and 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 25, 2006.

AYE: Tam M. Doduc  
Gerald D. Secundy  
Arthur G. Baggett, Jr.  
Charles R. Hoppin  
Gary Wolff, P.E., Ph.D.

NO: None

ABSENT: None

ABSTAIN: None



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Clerk to the Board