



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

OCT 29 2008

Ms. Dorothy Rice  
Executive Director  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

Dear Ms. Rice:

Thank you for submitting the Basin Plan amendments containing total maximum daily loads (TMDLs) to address metals in Los Angeles River and Ballona Creek. The Los Angeles River metals TMDL submittal was dated September 17, 2008 and received September 22, 2008. The Ballona Creek metals TMDL submittal was dated October 22, 2008 and received October 23, 2008. As discussed in Regional Board Resolutions R2007-014 and R2007-015, the TMDLs now submitted to EPA are a re-adoption and reaffirmation of the TMDLs approved by EPA on December 22, 2005. EPA has reviewed the administrative record submitted by the State and has concluded that the current TMDLs are approvable for the same reasons discussed in our approval of the previous TMDLs.

California adopted these TMDLs to address the following waterbody-pollutant combinations identified on the State's 2002 Clean Water Act Section 303(d) list:

- Los Angeles River Reach 1 (cadmium, copper, lead, zinc), Los Angeles River Reach 2 and 4 (lead), Rio Hondo Reach 1 (copper, lead, zinc), Compton Creek (copper, lead), Tujunga Wash (copper), Monrovia Creek (lead), Aliso Creek (selenium), Dry Canyon Creek (selenium), and McCoy Canyon Creek (selenium);
- Ballona Creek (copper, lead, selenium, zinc) and Sepulveda Canyon Channel (lead).

During the original TMDL development process, the State determined the following additional waterbody-pollutant combinations were also water quality limited pursuant to the requirements of Section 303(d)(1), and adopted TMDLs to address these additional combinations:

- Los Angeles River Reaches 2, 3, 4, and 5 and Burbank Western Channel (copper);
- Los Angeles River Reaches 3 and 5 and Burbank Western Channel (lead);
- Los Angeles River Reach 6 (selenium);
- Sepulveda Canyon Channel (copper, selenium and zinc).

During the original decision-making process, the State clearly identified these additional waterbody-pollutant combinations as water quality limited waters for which TMDLs are required. The State provided sufficient documentation to support its determination and provided

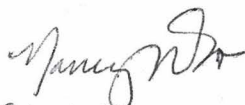
opportunities for public review and comment on the additional waterbody-pollutant identifications. The State's decision to concurrently identify additional water quality limited segments and adopt TMDLs for those segments was consistent with the provisions of the Clean Water Act and federal regulations. See 40 CFR 130.7. Subsequently, the State included all these segments on the "TMDLs completed" portion of the State's 2006 303(d) list, which EPA approved.

Based on EPA's review of the TMDL submittals, I have concluded the TMDLs adequately address the pollutants of concern, and will, upon implementation, result in attainment of applicable water quality standards. The TMDLs include allocations as needed, take into consideration seasonal variations and critical conditions, and provide an adequate margin of safety. The State provided adequate opportunities for the public to review and comment on the TMDLs. All required elements are adequately addressed; therefore, the TMDLs are hereby approved pursuant to Clean Water Act Section 303(d)(2).

The State's submittals also contain detailed plans for implementing the TMDLs. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plans provided with the TMDLs. However, EPA generally concurs with the State's proposed implementation approaches.

The enclosed review discusses the basis for this approval decision. We appreciate the State and Regional Boards' work to complete and adopt these TMDLs and look forward to our continuing partnership in TMDL development. If you have questions concerning this approval, please call me at (415) 972-3572 or Janet Hashimoto at (415) 972-3452.

Sincerely yours,

 October 29, 2008  
for Alexis Strauss  
Director, Water Division

Enclosure

cc: Tracy Egoscue, Los Angeles RWQCB