

Los Angeles Regional Water Quality Control Board

TO: Interested Persons

FROM: Ginachi Amah, D.Env.
Basin Planning Program

DATE: December 3, 2013

SUBJECT: Notice of California Environmental Quality Act (CEQA) Scoping Meeting for a Proposed Amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to update the recreational beneficial uses of certain engineered channels in the Los Angeles River system.

Notice is hereby given that the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) will hold a CEQA Scoping Meeting pursuant to California Public Resources Code Section 21083.9 to receive comments on the appropriate scope and content of the substitute environmental documents supporting a Basin Plan amendment that would update the current recreational uses for some engineered channels in the Los Angeles River system, in order to accurately reflect the existing and potential recreational beneficial uses of these channels. The substitute environmental documents will be prepared pursuant to Public Resources Code Section 21080.5, and the State Water Resources Control Board's regulations related to its Certified Regulatory Program (23 C.C.R. § 3775 *et seq.*). The substitute environmental documents are intended to serve as program level environmental documents, consistent with Public Resources Code Section 21159.

BACKGROUND

Engineered channels are waterways that have been lined (at the bottom and/or on the sides) with rip-rap or concrete and, in most cases, straightened; with the intent of reducing flood risk by transporting stormwater as quickly as possible to the ocean. However, these modifications sometimes create life-threatening "swift-water" conditions during and immediately following storm events, making it unsafe for recreational activities in, or in proximity to, such water bodies. In addition, the vertical walls and/or steep-sided slopes of these channels, often in conjunction with restrictive fencing, usually limit, to varying degrees, direct access to channelized creeks and streams for the purpose of recreational use. Furthermore, many of these channels have minimal flows and low water levels in the dry periods that occur throughout the year.

Given these conditions, the appropriateness of assigning the water contact recreation (REC-1) use to engineered channels has been questioned by a number of stakeholders throughout the region. Concerns have also been expressed regarding the potential for such beneficial use designations to encourage recreational activities in areas that are unsafe.

At the same time, municipalities and federal agencies including the US EPA and the Army Corps of Engineers, along with non-profit organizations have been working to restore urban rivers in the region to provide greater recreational opportunities to urban residents and visitors.

The Regional Board has previously addressed the issue of water contact recreation during unsafe conditions. In 2003, The Regional Board issued a categorical suspension of the recreational beneficial uses and associated bacteria objectives in engineered channels during unsafe wet weather conditions, the "high flow suspension" (Resolution No. 2003-10). Also, in 2005, in response to the concern that limited accessibility and low-flow conditions in engineered channels cannot support a REC-1 designated use, the Regional Board re-evaluated recreational uses in Ballona Creek and Estuary. The Ballona use assessment resulted in the removal of the potential REC-1 use for Reach 1 of Ballona Creek, and the development and designation of a sub-category of REC-1 (Limited REC-1) for Reach 2 of the creek (State Board Resolution No. 2005-0015).

The re-consideration of the application of recreational beneficial uses in specific instances was selected as one of the projects to be addressed during the 2008-10 Triennial Review period (Resolution No. 2010-001). As a result of the prioritization of this issue, in September 2010, the Regional Board initiated a re-evaluation of recreational uses in the engineered channels of the Los Angeles River system to assess the actual and potential recreational uses in these water bodies. This recreational use reassessment (RECUR) was completed recently and has provided the information necessary to recommend updates to the recreational beneficial uses of some of the engineered channels in the Los Angeles River system.

The purpose of this meeting is to scope the foreseeable adverse impacts of the proposed action on the environment. The alternatives currently being considered are not expected to impose requirements on the regulated community beyond the current Basin Plan objectives, TMDL waste load and load allocations, and other existing permit requirements. Therefore, no associated implementation actions are anticipated.

However, interested persons are specifically requested to provide the following information:

- The reasonably foreseeable, significant, adverse environmental impacts associated with the proposed action, if any.
- Specific evidence supporting that such impacts are reasonably foreseeable, and describing the magnitude (significance level) of the impacts.
- Reasonable alternatives to the proposed action that would result in less significant, adverse environmental impacts.
- Reasonable mitigation measures that would minimize any unavoidable significant adverse environmental impacts associated with the proposed action.

(See Public Resources Code section 21159)

The proposed information and resulting analysis will be incorporated into the Draft Substitute Environmental Document. The CEQA Scoping Meeting will be held at:

10:00 a.m. to 12:00 p.m., Tuesday, December 17, 2013

**Junipero Serra Building
Carmel Meeting Room, 1st Floor
320 West 4th Street
Los Angeles, California 90013**

QUESTIONS AND ADDITIONAL INFORMATION

General questions concerning this notice may be directed to Dr. Ginachi Amah at (213) 576-6685 or e-mail Ginachi.Amah@waterboards.ca.gov. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.

cc: Michael Lauffer, Office of Chief Counsel, State Water Resources Control Board
Jennifer Fordyce, Office of Chief Counsel, State Water Resources Control Board