

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0069**

APPROVING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE
LOS ANGELES REGION (BASIN PLAN) TO REVISE WATER QUALITY OBJECTIVES AND
THE TOTAL MAXIMUM DAILY LOAD (TMDL) FOR CHLORIDE IN THE
UPPER SANTA CLARA RIVER.

WHEREAS:

1. On October 9, 2014, the Regional Water Quality Control Board for the Los Angeles Region (Los Angeles Water Board) adopted [Resolution No. R14-010](#), an amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan amendment), to revise chloride water quality objectives and the Total Maximum Daily Load (TMDL) for Chloride in the upper Santa Clara River.
2. The Los Angeles Water Board prepared "Substitute Environmental Documents" for purposes of the California Environmental Quality Act (CEQA) for a prior revision of the TMDL and water quality objectives for chloride in the upper Santa Clara River, adopted by Los Angeles Water Board [Resolution No. 2008-012](#). These documents contained the required environmental documentation under the State Water Board's regulations for the implementation of CEQA, as set forth in the California Code of Regulations, Title 23, sections 3775 through 3781. The Los Angeles Water Board found that this Basin Plan amendment, adopted by Resolution No. R14-010, did not alter the environmental analysis that was prepared for the 2008 revision of the TMDL and water quality objectives because this Basin Plan amendment will not result in different implementation actions, effects upon the environment, or mitigation measures or alternatives, than those previously analyzed. Moreover, no additional reasonably foreseeable methods of compliance warrant environmental analysis pursuant to Public Resources Code section 21159 and California Code of Regulations, Title 14, section 15187. As such, the Los Angeles Water Board found that the Basin Plan amendment is consistent with the prior CEQA documentation and determined that no subsequent environmental documents shall be prepared, pursuant to California Code of Regulations, Title 14, section 15162. The State Water Board concurs with the Los Angeles Water Board's findings and determinations.
3. The Los Angeles Water Board also adopted the Basin Plan amendment pursuant to the "Necessity" standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
4. The Los Angeles Water Board found the Basin Plan amendment is consistent with the Statement of Policy with Respect to Maintaining High Quality of Waters in California ([State Water Board Resolution No. 68-16](#)) and the federal Antidegradation Policy (40 C.F.R. § 131.12), in that it does not allow degradation of water quality, but requires restoration of water quality and attainment of water quality standards.

5. 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, section 13241, which pertains to the establishment of water quality objectives in basin plans by regional boards, and section 13242, which requires a program of implementation for achieving water quality objectives. The State Water Board also finds that the TMDL as reflected in the Basin Plan amendment is consistent with the requirements of section 303(d) of the federal Clean Water Act.
6. The 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 Basin Plan amendment must also receive approval from the U.S. Environmental Protection Agency (U.S. EPA) pursuant to Clean Water Act section 303(d), and section 303(c) as appropriate.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R14-010.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R14-010 to OAL for approval of the regulatory provisions and to U.S. EPA 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 Resources Control Board held on December 16, 2014.

AYE: Chair Felicia Marcus
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Steven Moore
 Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board