

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – LOS ANGELES REGIONAL WATER BOARD
JUNE 2, 2015**

ITEM 4

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION APPROVING NON-REGULATORY AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO ADMINISTRATIVELY UPDATE CHAPTERS 1: “INTRODUCTION,” 5: “PLANS AND POLICIES,” AND 6: “MONITORING AND ASSESSMENT” BY INCORPORATING UPDATED INFORMATION, TABLES, AND FIGURES

DISCUSSION

On September 11, 2014, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted [Resolution No. R14-009](#). These non-regulatory amendments administratively update the Water Quality Control Plan for the Los Angeles Region (Basin Plan). Los Angeles Water Board Resolution No. R14-009 administratively updates Chapters 1: “Introduction”, 5: “Plans and Policies” and 6: “Monitoring and Assessment” by incorporating updated information, tables, and figures.

Background

The *Water Quality Control Plan for the Los Angeles Region* (Basin Plan) is the Los Angeles Water Board’s master water quality control plan for the coastal watersheds of Los Angeles and Ventura Counties. The Basin Plan contains the region’s water quality standards, which consist of beneficial uses, water quality objectives to protect those uses, and an anti-degradation policy along with a program of implementation, and non-regulatory descriptions of the region covered by the plan. The current Basin Plan was adopted by the Los Angeles Water Board on June 13, 1994, and approved by the State Water Resources Control Board (State Water Board) on November 17, 1994, then by the State Office of Administrative Law (OAL) on February 23, 1995. Since then, several Basin Plan amendments have been adopted (and fully approved) and more current background and geographical information has become available; and, until recently, these changes were not reflected in the current Basin Plan.

Recognizing the importance of a current Basin Plan, an administrative update of the Basin Plan was identified as a priority project to be addressed during the 2008-2010 triennial review ([Resolution No. R10-001](#)), and again during the triennial review for 2011-2013 ([Resolution No. R12-001](#)). The administrative update to the Basin Plan has been conducted in phases, three of which have been completed to date. The update to Chapter 2 “Beneficial Uses” was completed in November 2011, and was followed by the addition of Chapter 7 “TMDLs” to the Basin Plan in December 2011. The update to Chapter 3 “Water Quality Objectives” was conducted in May 2013. All of these updates have been approved by the State Water Board and by the Office of Administrative Law.

Update of Chapter 1 “Introduction”, Chapter 5 “Plans and Policies”, and Chapter 6 “Monitoring and Assessment”

Chapter 1 contains information on the function and the legal basis and authority of the Basin Plan, as well as background information on the Los Angeles Region to which it applies. Chapter 5 contains summaries of all Regional and State Water Board plans and policies applicable to water quality protection in the Los Angeles Region. Chapter 6 contains a description of monitoring and assessment programs and corresponding databases designed to assess the effectiveness of the Los Angeles Water Board’s water quality control programs.

The administrative updates to these chapters of the Basin Plan specifically include:

- (i) Updates to background information on the Los Angeles Region in Chapter 1;
- (ii) Updates to the summaries of Regional and State Water Board plans and policies in Chapter 5;
- (iii) Updates to descriptions of monitoring and assessment programs in Chapter 6 and the addition of water quality database descriptions;
- (iv) Updates to tables in Chapters 1, 5, and 6 containing background information on the Los Angeles Region, as well as information on the Regional and State Water Board’s planning and implementation programs, pertinent plans and policies, and monitoring and assessment programs; and
- (v) Updates to maps and figures in Chapters 1 and 5 to reflect current Regional Water Board program information, as well as background and geographical information.

This administrative update to Chapters 1, 5, and 6 of the Basin Plan is non-regulatory in nature and does not involve any new changes to water quality standards for the surface and ground waters of the Los Angeles Region. Neither does it modify the application of these standards or their implementation provisions. It is the next phase of a multi-step plan to administratively update the entire Basin Plan. Any regulatory updates to these chapters of the Basin Plan will be addressed in the future as separate Board actions.

POLICY ISSUE

Should the State Water Board approve the non-regulatory amendments to the Basin Plan to administratively update Chapters 1, 5, and 6 as adopted by Los Angeles Water Board Resolution No. R14-009?

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 BOARD IMPACT

Approval of Los Angeles Water Board Resolution No. R14-009 will amend and administratively update Chapters 1, 5, and 6 of the Los Angeles Water Board’s Basin Plan.

STAFF RECOMMENDATION

That the State Water Board:

Approve the Basin Plan amendments adopted under Los Angeles Water Board Resolution No. R14-009.

Authorize and direct the Executive Director or designee to submit the Basin Plan amendments adopted under Los Angeles Water Board Resolution No. R14-009 to the OAL for concurrence with their non-regulatory status.

<p>State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012 to comprehensively address water quality protection, restoration...throughout California's water planning process. In particular, approval of this item will assist in fulfilling Objective 4.2 to have Basin Plans updated by 2015.</p>

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2015-

APPROVING NON-REGULATORY AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO ADMINISTRATIVELY UPDATE CHAPTERS 1: "INTRODUCTION," 5: "PLANS AND POLICIES," AND 6: "MONITORING AND ASSESSMENT" BY INCORPORATING UPDATED INFORMATION, TABLES, AND FIGURES

WHEREAS:

1. On September 11, 2014, the Regional Water Quality Control Board for the Los Angeles Region (Los Angeles Water Board) adopted [Resolution No. R14-009](#). These non-regulatory amendments administratively update the Water Quality Control Plan for the Los Angeles Region (Basin Plan). Los Angeles Water Board Resolution No. R14-009 administratively updates Chapter 1 "Introduction," Chapter 5 "Plans and Policies," and Chapter 6 "Monitoring and Assessment" by incorporating updated information, tables, and figures.
2. While the Los Angeles Water Board generally prepares "substitute environmental documents" for amendments to its Basin Plan that contain the required environmental documentation under the State Water Resources Control Board's (State Water Board's) California Environmental Quality Act (CEQA) regulations (23 Cal. Code Regs. § 3777 et seq.), the Los Angeles Water Board found that these amendments are non-regulatory administrative updates to the Basin Plan. Therefore, the Los Angeles Water Board determined that these non-regulatory amendments are exempt from CEQA as they are purely ministerial, do not constitute a "project", and will have no impact on the environment. The State Water Board concurs with the Los Angeles Water Board's findings and determinations that these amendments are exempt from CEQA. Accordingly, the State Water Board's CEQA regulations do not apply to this action. (23 Cal. Code Regs. § 3720.)
3. The Los Angeles Water Board also adopted the Basin Plan amendments pursuant to the "Necessity" standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
4. As these amendments are non-regulatory administrative updates to the Basin Plan, the Los Angeles Water Board did not adopt or revise water quality objectives. Therefore, the Los Angeles Water Board determined that sections 13241 and 13242 of the Water Code did not apply to this action. The State Water Board concurs with the Los Angeles Water Board's findings and determinations. While consideration of the factors in Water Code section 13241 is not required, the State Water Board nevertheless finds that these amendments will have no impact on any of the factors set forth in Water Code section 13241.
5. These Basin Plan amendments do not become effective until approved by the State Water Board and until the Office of Administrative Law (OAL) has concurred on its non-regulatory status.

D R A F T

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendments adopted under Los Angeles Water Board Resolution No. R14-009.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendments adopted under Los Angeles Water Board Resolution No. R14-009 to OAL for concurrence with their non-regulatory status.

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 June 2, 2015.

Jeanine Townsend
Clerk to the Board