

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2009-0077**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE LOS ANGELES REGION (BASIN PLAN) TO ADOPT CONDITIONAL SITE SPECIFIC
OBJECTIVES (SSOs) FOR CHLORIDE AND REVISE THE UPPER SANTA CLARA RIVER
CHLORIDE TOTAL MAXIMUM DAILY LOAD (TMDL)

WHEREAS:

1. On October 24, 2002, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted an amendment to the Basin Plan, Resolution No. 02-018, to include a TMDL for Chloride in the Upper Santa Clara River. The State Water Resources Control Board (State Water Board) remanded the TMDL on February 19, 2003 under [State Water Board Resolution No. 2003-0014](#). In the remand, the State Water Board directed the Los Angeles Water Board to consider a phased implementation plan which would allow for the completion of special studies, before dischargers were required to plan and construct advanced treatment technologies. In response to the remand, the Los Angeles Water Board adopted Resolution No. 03-008 on July 10, 2003. On May 6, 2004, the Los Angeles Water Board adopted Resolution No. 04-004 which revised the interim wasteload allocations and implementation plan. In the amendment, the Los Angeles Water Board required the completion of several special studies that would characterize the sources, fate, transport, and specific impacts of Chloride in the Upper Santa Clara River, including impacts to downstream reaches and underlying groundwater basins. On August 3, 2006, under Resolution No. 06-016, the Los Angeles Water Board revised the implementation schedule of Resolution No. 04-004 based on a literature review and evaluation. The State Water Board approved the resulting Basin Plan amendment under [State Water Board Resolution No. 2007-0029](#). In approving the amendment, the State Water Board directed the Los Angeles Water Board to consider variability in the SSO for chloride to account for the effects of drought on source water quality. The amendment was approved by Office of Administrative Law (OAL) on August 15, 2007.
2. On December 11, 2008, the Los Angeles Water Board adopted [Resolution No. R4-2008-012](#) amending the Basin Plan to adopt conditional SSOs for chloride and revise the Upper Santa Clara River chloride TMDL.
3. The Los Angeles Water Board found that the analysis contained in the Final Project Report, the California Environmental Quality Act (CEQA) "Substitute Environmental Document" for the proposed Basin Plan amendment, including the CEQA Checklist, the staff report, and the responses to comments prepared by Los Angeles Water Board staff and Resolution R4-2008-012 adopted by the Los Angeles Water Board complies with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq.
4. The State Water Board finds that in amending the Basin Plan the Los Angeles Water Board complied with the requirements set forth in sections 13240, 13241, and 13242 of the California Water Code. The State Water Board also finds that the regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code section 11353, Subdivision (b).

5. The Los Angeles Water Board found that adoption of this 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 Federal Antidegradation Policy (40 CFR 131.12).
6. Numeric targets expressed as loading capacities for the TMDL are based on the site-specific water quality objectives provided in the Basin Plan amendment. Compliance with the targets will be based on a ten-year implementation schedule.
7. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL and Surface Water Quality Objectives must also be approved by the U.S. Environmental Protection Agency (U.S. EPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan as adopted under Los Angeles Water Board Resolution No. R4-2008-012.
2. Directs the Executive Director or designee to submit the amendment adopted under Los Angeles Water Board Resolution No. R4-2008-012 to OAL for approval of the regulatory provisions and to U.S. EPA for approval of the TMDL and the Surface Water Quality Objectives.

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 October 20, 2009.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Arthur G. Baggett, Jr.
 Board Member Walter G. Pettit

NAY: None

ABSENT: None

ABSTAIN: None

Jeanine Townsend
 Clerk to the Board