

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0064**

**APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE
LOS ANGELES REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD
FOR DEBRIS IN NEARSHORE AND OFFSHORE SANTA MONICA BAY**

WHEREAS:

1. On November 4, 2010, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted [Resolution No. R10-010](#), an amendment to the Water Quality Control Plan for the Los Angeles Region ([Basin Plan amendment](#)), to incorporate a Total Maximum Daily Load (TMDL) for debris in nearshore and offshore Santa Monica Bay.
2. The Los Angeles Water Board found that the analysis contained in the California Environmental Quality Act (CEQA) "Substitute Environmental Documents" for the proposed Basin Plan amendment, including the CEQA Checklist, the final staff report entitled "Santa Monica Bay Nearshore and Offshore TMDL", and the responses to comments 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. The State Water Board has reviewed the Substitute Environmental Documents for the Basin Plan amendment and concurs with the Los Angeles Water Board's findings and determinations, including the Statement of Overriding Considerations.
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 CFR section 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, 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 federal Clean Water Act section 303(d).
6. A 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 TMDL must also receive approval from the U.S. Environmental Protection Agency (U.S. EPA).

7. Los Angeles Water Board staff determined that minor, non-substantive changes to the language of the Basin Plan amendment were necessary to correct minor clerical errors and to improve clarity and consistency. The Los Angeles Water Board's Executive Officer made these minor non-substantive changes in a [memorandum dated March 18, 2011](#). The memorandum contains clarifying language that responsible permittees defined under the Waste Load Allocation section of the Basin Plan amendment are required to prepare and submit annual monitoring reports. The memorandum also clarifies that the task originally requiring responsible jurisdictions to submit trash monitoring and reporting plans (TMRPs) and plastic pellet monitoring and reporting plans (PMRPs) are separated into two different tasks. Lastly, the memorandum contains one additional non-substantive change to amend a footnote for consistency with changes orally made at the Los Angeles Water Board hearing.

8. The Los Angeles Water Board's Executive Officer made additional minor non-substantive changes to the language of the Basin Plan amendment in a [memorandum dated November 18, 2011](#). The memorandum contains clarifying language regarding a footnote in the implementation table as well as clarifying language regarding the provision that the cities of Thousand Oaks and Westlake Village may comply with the trash-related requirements of this TMDL by complying with the Malibu Creek Trash TMDL.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R10-010.

2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R10-010 to OAL for approval of the regulatory provisions and to U.S. EPA for approval of the TMDL.

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 6, 2011.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board