

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0065**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE LOS ANGELES REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR
PESTICIDES AND POLYCHLORINATED BIPHENYLS IN MACHADO LAKE

WHEREAS:

1. On September 2, 2010, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted [Resolution No. R10-008](#), 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 pesticides and Polychlorinated Biphenyls (PCBs) in Machado Lake.
2. The Los Angeles Water Board's goal in establishing the TMDL for pesticides and PCBs in Machado Lake is to protect the recreation (REC 1 and REC 2) and aquatic life (WARM, WILD, RARE, WET) beneficial uses of Machado Lake by achieving the numeric and narrative water quality objectives set to protect those uses.
3. The Los Angeles Water Board found that the analysis contained in the California Environmental Quality Act (CEQA) "Substitute Environmental Document" for the proposed Basin Plan amendment, including the CEQA Checklist, the final staff report entitled "Machado Lake Pesticides and PCBs TMDL," and the responses to comments complies with the requirements of the State Water Resources Control Board's (State Water Board) 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 Document for the Basin Plan amendment and concurs with the Los Angeles Water Board's findings and determinations, including the Statement of Overriding Considerations.
4. 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).
5. The State Water Board finds that the Basin Plan 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. 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.
7. Numeric targets for the TMDL are based on narrative and numeric water quality objectives provided in the Basin Plan and 40 CFR section 131.38 (California Toxics Rule). Compliance with the targets will be based on an implementation schedule with a final attainment date of September 30, 2019.

8. 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 be approved by the U.S. Environmental Protection Agency (U.S. EPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendment as adopted under Los Angeles Water Board Resolution No. R10-008.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Los Angeles Water Board Resolution No. R10-008 to OAL for approval of the regulatory provisions and to U.S. EPA for approval of the TMDL.
3. Requests that the Los Angeles Water Board report back to the State Water Board at the same time it reconsiders the Machado Lake Nutrient TMDL.

CERTIFICATION

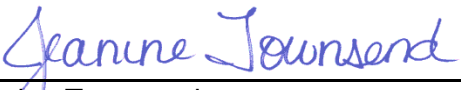
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 6, 2011.

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