

**California Regional Water Quality Control Board
Santa Ana Region**

RESOLUTION NO. R8-2008-0044

**Resolution Approving Plans and Schedules
Submitted by the Middle Santa Ana River Watershed TMDL Task Force
Pursuant to the Middle Santa Ana River Watershed Bacterial Indicator Total Maximum
Daily Loads Specified in the Water Quality Control Plan for the
Santa Ana River Basin**

WHEREAS, the California Regional Water Quality Control Board, Santa Ana Region (hereinafter, Regional Board), finds that:

1. An updated Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) was adopted by the Regional Board on March 11, 1994, approved by the State Water Resources Control Board (SWRCB) on July 21, 1994, and approved by the Office of Administrative Law (OAL) on January 24, 1995.
2. Amendments to the Basin Plan to incorporate Middle Santa Ana River Watershed (MSAR) Bacterial Indicator Total Maximum Daily Loads (TMDLs) were approved by the Regional Board on August 26, 2005, by SWRCB on May 15, 2006, by the office of Administrative Law on September 1, 2006, and by the US Environmental Protection Agency on May 16, 2007.
3. The MSAR Bacterial Indicator TMDLs were developed in accordance with Clean Water Act Section 303(d) and the California Water Code, Division 7, Chapter 4, Article 3, Section 13240 *et seq.* The amendment is incorporated into Chapter 5 "Implementation," of the Basin Plan.
4. Responsible agencies and dischargers in the MSAR watershed have formed an MSAR Bacterial Indicator TMDL Task Force (TMDL Task Force). The TMDL Task Force members are working jointly to implement requirements of the MSAR Bacterial Indicator TMDLs. TMDL Task Force members include the following agencies/parties: Riverside County Flood Control and Water Conservation District, San Bernardino County Flood Control District, County of Riverside, Santa Ana Watershed Project Authority, Milk Producers Council, Chino Basin Watermaster Agricultural Pool, US Department of Agriculture – Forest Service, and the Cities of Chino Hills, Upland, Montclair, Ontario, Rancho Cucamonga, Rialto, Chino, Fontana, Norco, Corona, and Riverside.
5. For the TMDL Task Force and for compliance with the TMDLs, the Milk Producers Council is representing the interests of concentrated animal feeding facility operators within the MSAR watershed.
6. For the TMDL Task Force and for compliance with the TMDLs, the Chino Basin Watermaster Agricultural Pool is representing the interests of irrigated and dry-land farming operators within the MSAR watershed.
7. The Regional Board is a signatory to the Task Force Agreement and serves as an advisory member of the TMDL Task Force.

8. The MSAR Bacterial Indicator TMDLs, Task 3 – Watershed Wide Bacterial Indicator Water Quality Monitoring Program requires that the monitoring proposal include tasks to provide data necessary to review and update the Middle Santa Ana River Watershed Bacterial Indicator TMDLs. Data to be collected and analyzed shall address, at a minimum, the determination of compliance with the TMDLs, wasteload allocations (WLAs), and load allocations (LAs). The TMDLs require implementation of the monitoring programs upon Regional Board approval.
9. In compliance with MSAR TMDL Task 3 and well in advance of the TMDL due date, the consultant for the TMDL Task Force submitted a proposed MSAR Water Quality Monitoring Plan, dated June 14, 2007, for Regional Board review and approval. The Monitoring Plan includes a Quality Assurance Project Plan (QAPP) in accordance with TMDL requirements.
10. The Regional Board approved the initial MSAR Water Quality Monitoring Plan at a duly noticed public hearing on June 29, 2007 (Resolution No. R8-2007-0046).
11. The MSAR TMDL Task Force has revised the MSAR TMDL Water Quality Monitoring Plan to add activities and tasks designed to evaluate the performance of treatment BMPs in reducing bacterial indicator levels in surface waters. The revised Monitoring Plan includes a revised Quality Assurance Project Plan (QAPP) in accordance with TMDL requirements.
12. The MSAR Bacterial Indicator TMDLs, Task 4 – Urban Discharges requires that jurisdictions responsible for urban discharges, including stormwater runoff, from urban areas submit a proposed Bacterial Indicator Source Evaluation Plan to the Regional Board by November 30, 2007.
13. In compliance with MSAR TMDL Task 4 – Urban Discharges and on behalf of the urban dischargers, consultants for the TMDL Task Force submitted, on November 28, 2007, an Urban Bacterial Indicator Source Evaluation Plan, which included a schedule, for Regional Board review and approval.
14. The MSAR Bacterial Indicator TMDLs, Task 5 – Agricultural Discharges requires that concentrated animal feeding facility operators and other agricultural operators (irrigated and dry-land farming operations) submit a proposed Bacterial Indicator Source Evaluation Plan to the Regional Board by November 30, 2007.
15. In compliance with MSAR TMDL Task 5 – Agricultural Discharges and on behalf of agricultural dischargers, consultants for the TMDL Task Force submitted, on November 28, 2007, an Agricultural Bacterial Indicator Source Evaluation Plan, which included a schedule, for Regional Board review and approval.
16. The Regional Board has reviewed the proposed plans and schedules for evaluating sources of bacterial indicators in the MSAR watershed and finds that they comply with the applicable requirements of the MSAR Bacterial Indicator TMDLs specified in the Basin Plan.

17. The MSAR TMDL Task Force submitted the revised MSAR TMDL Water Quality Monitoring Plan to the Regional Board on March 17, 2008.
18. The Regional Board has reviewed the proposed plans and schedules for evaluating sources of bacterial indicators and for monitoring water quality in the MSAR watershed and finds that they comply with the applicable requirements of the MSAR Bacterial Indicator TMDLs specified in the Basin Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Regional Board approves the following plans and schedules as set forth in the attachments:
 - Attachment A – Middle Santa Ana River Bacterial TMDLs Monitoring Plan - Revised
 - Attachment B – Urban Bacterial Indicator Source Evaluation Plan
 - Attachment C – Agricultural Bacterial Indicator Source Evaluation Plan
2. These plans comply with the respective requirements of the MSAR Bacterial Indicator TMDLs specified in the Basin Plan.
3. The Members of the MSAR Bacterial Indicator TMDL Task Force are in compliance with the MSAR Bacterial Indicator TMDLs.
4. These plans and schedules must be implemented upon Regional Board approval.
5. The Regional Board's Executive Officer is hereby delegated authority to approve subsequent revisions to the plans and schedules set forth in Attachments A, B and C.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 18, 2008.



Gerard J. Thibeault
Executive Officer