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12/04/07 Bd Meeting, Item #11
Staff Change #1 (Circulated 12/03/07)

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2007-_____

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE LOS ANGELES REGION (BASIN PLAN) TO INCORPORATE A
TOTAL MAXIMUM DAILY LOAD (TMDL) FOR TRASH IN VENTURA RIVER ESTUARY

WHEREAS:

1. On June 7, 2007, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted Resolution No. R4-2007-008 (Attachment) amending the Basin Plan to incorporate a TMDL for trash in the Ventura River Estuary.
2. The TMDL for trash in the Ventura River Estuary is designed to protect the aquatic life habitat, wildlife habitat, water contact recreation, and non-contact water recreation beneficial uses of the Ventura River Estuary and to achieve the narrative water quality objectives set to protect those uses.
3. The Los Angeles Water Board found that the analysis contained in the Final Project Report, the California Environmental Quality Act (CEQA) "Substitute Document" for the proposed Basin Plan amendment, including the CEQA Checklist, the staff report, 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.
4. The State Water Board finds that in amending the Basin Plan to establish this TMDL, the Los Angeles Water Board considered the requirements set forth in sections 13240 and 13242, and section 13269 of the California Water Code. The State Water Board also finds that the TMDL is consistent with the requirements of federal Clean Water Act section 303(d).
5. The Los Angeles Water Board found that adoption of this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (State Water Board Resolution No. 68-16) and federal antidegradation requirements.
6. The Los Angeles Water Board established a loading capacity, represented as a numeric target for the Ventura River Estuary, at zero trash. Compliance with this trash load will be based on a 5-8 year implementation schedule depending on the method implemented.
7. 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 (USEPA).

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8. Los Angeles Water Board staff determined that minor, non-substantive changes to the language of the Basin Plan amendment was necessary to correct minor, non-substantive errors, to improve clarity and consistency. The Los Angeles Water Board's Executive Officer made these minor changes in a ~~memorandum~~ ~~memoranda~~ dated September 21, 2007, and October 31, 2007.

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. R4-2007-008.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Los Angeles Water Board Resolution No. R4-2007-008 to OAL for approval of the regulatory provisions and to USEPA for approval of the TMDL.

CERTIFICATION

The undersigned Acting 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 4, 2007.

Jeanine Townsend
Acting Clerk to the Board