

**State Of California
California Regional Water Quality Control Board, Los Angeles Region**

RESOLUTION NO. R17-XXX

April 6, 2017

**Approval of Recommendations for the Federal Clean Water Act (CWA)
Section 303(d) List**

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region finds that:

3. Section 303(d) of the CWA and Title 40, Code of Federal Regulations Section 130.7 require states to develop and submit to the U.S. Environmental Protection Agency (U.S. EPA) for approval a list of water bodies for which water quality standards (beneficial uses and water quality objectives) are not attained, or are not expected to be attained, with the implementation of certain technology-based controls. This list is commonly referred to as the "303(d) List" or the "List of Impaired Waters."
2. Section 305(b) of the CWA requires states to monitor, assess and submit biennially to the U.S. EPA a report assessing statewide surface water quality.
3. The California Integrated Report includes the requirements of CWA Section 305(b) and Section 303(d).
4. The 303(d) List must include a description of the pollutants causing impairment and a completion date for prioritizing the development of a Total Maximum Daily Load (TMDL) for each pollutant.
5. Only the 303(d) List portion of the California Integrated Report requires approval by the State Water Resources Control Board (State Water Board) and the U.S. EPA. Neither agency approves the 305(b) Report portion of the California Integrated Report.
6. The process for developing and approving the 303(d) List, including requests for review of specific listing recommendations by a Regional Water Quality Control Board is outlined in the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List* (Listing Policy).
7. Upon approval, the Los Angeles Water Board's recommended 303(d) List will be submitted to the State Water Board and compiled into a statewide 303(d) List. The

**T
E
N
T
A
T
I
V
E**

statewide 303(d) List is subject to the approval of the State Water Board and the U.S. EPA.

8. In accordance with sections 6.2 and 6.3 of the Listing Policy, before the Executive Director of the State Water Board or the State Water Board approves the California section 303(d) List, the State Water Board shall provide advance notice and opportunity for public comment. Public comment will be limited to listing recommendations that are timely requested for review pursuant to section 6.2 of the Listing Policy unless the Executive Director or the State Water Board elects to consider recommendations on other waters. To request that the State Water Board or Executive Director review specific listing recommendations approved by a Regional Water Board, the request must be submitted to the State Water Board within 30 days after the Regional Water Board approval.
9. In January of 2010, the State Water Board solicited water quality data from the public with a formal “Notice of Public Solicitation of Water Quality Data and Information for the California Integrated Report,” which was sent to interested persons subscribed to the State Water Board’s Integrated Report e-mail distribution list. In addition, the Los Angeles Water Board sent the notice to persons subscribed to the Los Angeles Water Board’s Basin Plan Amendments and TMDL e-mail distribution lists.
10. In developing the 2016 Integrated Report for CWA Section 305(b) and the Section 303(d) List, the Los Angeles Water Board considered all readily available data and information submitted to the State Water Board during the State Water Board data solicitation period of January 14, 2010 to August 30, 2010.
11. After reviewing all relevant evidence submitted, Los Angeles Water Board staff has:
 - For 305(b), made overall beneficial use support ratings for the water bodies that have been assessed for this 2016 assessment cycle. Categories 1, 2, 3, 4, and 5 of the Los Angeles Water Board’s Integrated Report reflect the outcome of the overall use support ratings.
 - For 303(d), made recommendations to add, remove or change the 2016 CWA Section 303(d) List of Impaired Waters for the Los Angeles Water Board’s 2016 Integrated Report. The 303(d) List is reflected in Categories 4a, 4b, and 5 of the Integrated Report.
12. On February 8, 2017, the Los Angeles Water Board provided public notice of the 2016 Integrated Report for the Los Angeles Region and a 30-day comment period; issued a Notice of Hearing to interested persons; and published notice of the 2016 Integrated Report and the hearing in the Los Angeles Times and Ventura County Star.

T
E
N
T
A
T
I
V
E

- 13. Los Angeles Water Board staff responded in writing to the written comments received during the public comment period and revised staff’s recommendations for additions, deletions, and changes to the 303(d) List, the supporting 2016 Integrated Report, and water body fact sheets as appropriate.
- 14. No action is required by the Los Angeles Water Board for staff’s assessment of non-impaired water bodies under Section 305(b).
- 15. On April 6, 2017, the Los Angeles Water Board held a Public Hearing to consider and approve the recommendations for the 303(d) List. The Los Angeles Water Board considered all evidence provided by Los Angeles Water Board staff and the public.

THEREFORE BE IT RESOLVED THAT:

- 1. The Los Angeles Water Board hereby approves the recommendations for the 2016 303(d) List for the Los Angeles Region.
- 2. The Executive Officer is to transmit the Los Angeles Water Board’s proposed recommendations for the 2016 Integrated Report with its supporting information and evidence including approved revisions, to the State Water Board for its consideration and incorporation into the final 2016 California Integrated Report.

I, Samuel Unger, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 6, 2017.

Samuel Unger
Executive Officer

T
E
N
T
A
T
I
V
E