

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

Resolution No. R16-0XX

Non-Regulatory Amendments to the *Water Quality Control Plan for the Los Angeles Region* to Administratively Update Chapter 4 “Strategic Planning and Implementation” and Specific Geographic Information in Chapter 2 “Beneficial Uses”

June 9, 2016

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

1. The *Water Quality Control Plan for the Los Angeles Region* (Basin Plan) is the Los Angeles Water Board’s water quality control plan for the coastal watersheds of Los Angeles and Ventura Counties. The Basin Plan contains the region’s water quality standards, which consist of beneficial uses, water quality objectives to protect those uses, and an anti-degradation policy along with a program of implementation, and non-regulatory descriptions of the region covered by the Basin Plan.
2. The Basin Plan may be amended in accordance with California Water Code section 13240 *et seq.*
3. The current Basin Plan was adopted by the Los Angeles Water Board on June 13, 1994, and approved by the State Water Resources Control Board (State Water Board) on November 17, 1994 and by the State Office of Administrative Law (OAL) on February 23, 1995. Since then, numerous Basin Plan amendments have been adopted and more current background, program, and geographical information are available. Until recently, these changes had not been physically reflected in the Basin Plan.
4. Recognizing the value of having a Basin Plan that contains current information, including all applicable amendments, its administrative update was identified as a priority project to be addressed during the 2008-2010 triennial review (Resolution No. R10-001). This administrative update has been conducted in phases which, to date, have included the update to Chapter 2 “Beneficial Uses” (Resolution No. R11-011), the addition of Chapter 7 “Total Maximum Daily Loads” (Resolution No. R11-013), the update to Chapter 3 “Water Quality Objectives” (Resolution No. R13-003), and the update to Chapters 1, 5, and 6 (Resolution No. R14-009). This update to Chapter 4: “Strategic Planning and Implementation” is the final phase of the comprehensive administrative update to the Basin Plan. In addition, administrative updates to specific geographic information in Chapter 2 are being made at this time primarily to incorporate recent changes to geographic information, which occurred after the November 2011 administrative update to Chapter 2.
5. The administrative update to Chapter 4 of the Basin Plan specifically includes: (i) updates to descriptions of Los Angeles Water Board programs, (ii) addition of sections discussing “Funding for Water Quality Improvement Projects” and “Climate Change Considerations,” (iii) incorporation of previously adopted Basin Plan amendment

language, and (iv) updates to tables, maps, and figures to reflect current Los Angeles Water Board program information, as well as background and geographical information.

6. The administrative updates to geographic information in Chapter 2 specifically include: (i) updates to certain hydrologic unit codes (HUCs) in the beneficial use tables and tributary tables to reflect changes made since the administrative update to Chapter 2 in 2011 and (ii) revisions to certain reach descriptions in the beneficial use tables and tributary tables to provide clarification and to correct previous clerical errors.
7. This administrative update is non-regulatory in nature and imposes no new regulatory requirements. These amendments do not involve changes to water quality standards or their implementation provisions. The non-substantive changes are intended solely to provide more current information and to improve the clarity and convenience of the Basin Plan.
8. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 *et seq.*) requirements for preparing environmental documents (14 Cal. Code Regs. § 15251(g); 23 Cal. Code Regs. § 3782). While the Los Angeles Water Board generally prepares "substitute environmental documents" for amendments to its Basin Plan that contain the required environmental documentation under the State Water Board's CEQA regulations (23 Cal. Code Regs. § 3777), these amendments are non-regulatory administrative updates to the Basin Plan. Therefore, these amendments are exempt from CEQA as they are purely ministerial, do not constitute a "project", and will have no impact on the environment. Accordingly, the State Water Board's CEQA regulations do not apply to this action. (23 Cal. Code Regs. § 3720.)
9. Los Angeles Water Board staff has prepared two staff reports that describe the proposed amendments, as well as the specific necessity and rationale for this administrative update to Chapters 4 and 2 of the Basin Plan. The staff reports, titled *Administrative Update of the Water Quality Control Plan for the Los Angeles Region: Chapter 4 "Strategic Planning and Implementation"* and *Administrative Update to Specific Geographic Information in Chapter 2 "Beneficial Uses" of the Water Quality Control Plan for the Los Angeles Region* are an integral part of this Board action and were reviewed, considered, and accepted by the Los Angeles Water Board before acting.
10. The public has had a reasonable opportunity to participate in the review of the proposed amendments to the Basin Plan. The draft tentative resolution, updated Basin Plan chapters, and staff reports were released for public comment on March 22, 2016, to allow a 45-day public comment period in advance of the public hearing. Los Angeles Water Board staff responded to written comments received from the public. The proposed amendments and staff reports have been revised as appropriate in response to comments.
11. A Notice of Hearing was published and circulated 45 days preceding Board action.

12. On June 9, 2016, prior to the Los Angeles Water Board's action on this Resolution, a public hearing was held to consider adoption of the proposed administrative update of Chapters 4 and 2 of the Basin Plan. Notice of the hearing was published in the Los Angeles Times and Ventura County Star on March 22, 2016, in accordance with the requirements of Water Code section 13244.
13. The amendments are non-regulatory administrative updates to Chapters 4 and 2 of the Basin Plan. The Los Angeles Water Board is not adopting or revising any beneficial uses, water quality objectives, or implementation provisions. Therefore, sections 13241 and 13242 of the Water Code do not apply to this action. While the Los Angeles Water Board is not required to consider the factors in Water Code section 13241, the Los Angeles Water Board nevertheless finds that these amendments will have no impact on any of the factors set forth in Water Code section 13241.
14. The Los Angeles Water Board finds that these non-regulatory administrative updates do not have scientific elements requiring independent, external scientific peer review in accordance with Health and Safety Code section 57004.
15. A non-regulatory Basin Plan amendment does not become effective until approved by the State Water Board and until OAL has concurred on its non-regulatory status.
16. If during the approval process, Los Angeles Water Board staff, the State Water Board or State Water Board staff, or OAL determines that minor, non-substantive modifications to the language of the amendments are needed for clarity or consistency, the Executive Officer should make such changes consistent with the Los Angeles Water Board's intent in adopting these amendments, and should inform the Los Angeles Water Board of any such changes.
17. These Basin Plan amendments do not involve adoption or revision of water quality standards for surface water. Thus, USEPA approval is not required.

THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to Water Code section 13240, the Los Angeles Water Board, after considering the entire record, including oral testimony at the hearing, hereby approves the Staff Reports and adopts the amendments to Chapter 4 "Strategic Planning and Implementation" and Chapter 2 "Beneficial Uses" of the *Water Quality Control Plan for the Los Angeles Region* to:
 - (i) Update descriptions of Los Angeles Water Board programs in Chapter 4;
 - (ii) Add new sections discussing "Funding for Water Quality Improvement Projects" and "Climate Change Considerations" in Chapter 4,
 - (iii) Incorporate previously adopted Basin Plan amendment language in Chapter 4;
 - (iv) Update tables, maps, and figures to reflect current Los Angeles Water Board program information, as well as background and geographical information, in Chapter 4;

- (v) Update certain hydrologic unit codes (HUCs) in the beneficial use tables and tributary tables in Chapter 2 to reflect changes made since its administrative update in 2011; and
 - (vi) Revise certain reach descriptions in the beneficial use tables and tributary tables in Chapter 2 to provide clarification and to correct previous clerical errors.
2. The Los Angeles Water Board is taking this action pursuant to Board Resolution No. R10-001 (Resolved Clause 1(c)), in which the Board identified the administrative update of the Basin Plan as a basin planning priority to be addressed during the 2008-2010 Triennial Review. Updating Chapter 4 is the final phase of the comprehensive update.
 3. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of Water Code section 13245.
 4. The Los Angeles Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of Water Code sections 13245 and 13246.
 5. The Los Angeles Water Board authorizes the Executive Officer or his designee to submit the amendments adopted by this resolution to OAL for concurrence on its non-regulatory status and to USEPA for informational purposes.
 6. If during the approval process, Los Angeles Water Board staff, the State Water Board or State Water Board staff, or OAL determines that minor, non-substantive modifications to the language of the amendments are needed for clarity or consistency, the Executive Officer may make such changes consistent with the Los Angeles Water Board's intent in adopting these amendments, and shall inform the Los Angeles Water Board of any such changes.

I, Samuel Unger, 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, Los Angeles Region, on June 9, 2016.

Samuel Unger, P.E.
Executive Officer