



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

APR 06 2010

Mr. Jonathan Bishop  
Acting Executive Director  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

Dear Mr. Bishop:

The Environmental Protection Agency has reviewed the amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to adopt site specific chloride objectives (SSOs) and to revise the Upper Santa Clara River Total Maximum Daily Load (TMDL). This action addresses only the chloride SSO portion of the amendment. The TMDL portion will be addressed separately. I am pleased to inform you that we are approving the chloride SSO amendment.

The subject amendment was adopted by the Los Angeles Water Quality Control Board (LARWQCB, Regional Board) on December 11, 2008 under Resolution No. R4-2008-012, and approved by the State Water Resources Control Board on October 20, 2009 under Resolution No. 2009-0077. The complete submission package was received by EPA on January 27, 2010.

The amendment adds language to Chapter 3 of the Water Quality Control Plan that includes water quality objective changes for chloride that are conditioned on implementation of an "Alternative Water Resources Management Plan" (AWRM). The AWRM ensures that the agriculture beneficial use is protected. The conditions in Chapter 3 also ensure that if the AWRM is not properly implemented, the chloride objectives revert to the present objectives. EPA agrees with the rationale presented in the Staff Report that justifies the changes in the chloride objectives for the reaches of the Santa Clara River specified in the amendment.

**Today's Action**

Section 303(c) of the Clean Water Act (CWA) requires EPA to approve or disapprove new or revised state-adopted water quality standards. The State regulatory provisions that are subject to EPA's approval authority under Section 303(c) are those addressing antidegradation, beneficial uses, water quality criteria, and implementation of water quality standards for surface waters. EPA has determined that the above Basin Plan amendment is subject to EPA's section 303(c) approval authority. Pursuant to CWA section 303(c) and the implementing federal regulations at 40 CFR 131, EPA hereby

approves this amendment. EPA's approval is based on our finding that the amendment is consistent with the requirements of the CWA and EPA's regulations at 40 CFR 131.5 and 131.6.

**Public Participation**

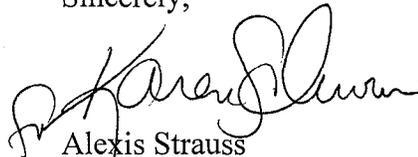
EPA compliments the State on its efforts to include the public in the development and review of new and revised water quality standards. Public involvement is an integral component of a successful water quality program. Based upon our review of the administrative record for the subject amendment, the public review procedures followed by the State in the development of Regional Board Resolution No. R4-2008-0012 and State Board Resolution No. 2009-0077 were consistent with the procedural requirements for public participation in triennial reviews, adoption, and revision of state water quality standards.

**ESA Consultation with the Services on EPA's Action**

Section 7(a)(2) of the Endangered Species Act states that each federal agency shall ensure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered or threatened species (listed species) or result in the destruction or adverse modification of critical habitat. EPA has determined that today's action will have no effect on federally listed threatened or endangered species or critical habitat because the proposed chloride objectives are more stringent than the current EPA 304(a) criteria for chloride, and thus protective of aquatic life and wildlife.

EPA commends the Los Angeles Regional Board staff for its thorough work in developing the site specific objectives for chloride in this amendment to the Basin Plan. If there are any questions regarding EPA's action, please contact Suesan Saucerman at 415-972-3522. As always, EPA looks forward to continued cooperation with the State in achieving our mutual environmental goals.

Sincerely,



Alexis Strauss  
Director, Water Division

cc: Tracy Egoscue (LARWQCB)  
Darrin Polhemus (SWRCB)