

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2004 - 0046**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN
FOR THE LOS ANGELES REGION TO INCORPORATE A TOTAL MAXIMUM
DAILY LOAD FOR CHLORIDE IN THE UPPER SANTA CLARA RIVER

WHEREAS:

1. The Los Angeles Regional Water Quality Control Board (Regional Board) adopted a revised Water Quality Control Plan for the Los Angeles Region (Basin Plan) on June 13, 1994, which was approved by the State Water Resources Control Board (SWRCB) on November 17, 1994 and by the Office of Administrative Law (OAL) on February 23, 1995.
2. On October 24, 2002, the Regional Board adopted Resolution No. 02-018 amending the Basin Plan to incorporate a Total Maximum Daily Load (TMDL) for chloride in the Upper Santa Clara River.
3. SWRCB found that the TMDL implementation plan did not allow adequate time for tasks to be completed in sequential order or for an appropriate level of consideration of the results of the preceding tasks.
4. On February 19, 2003, SWRCB adopted Resolution No. 2003-0014 remanding the TMDL to the Regional Board for reconsideration of the implementation plan.
5. On July 10, 2003, under Resolution No. 03-008, the Regional Board adopted a revised TMDL for chloride in Reaches 5 and 6 of the upper Santa Clara River addressing SWRCB concerns.
6. On May 6, 2004, under Resolution No. 04-004 (Attachment 1), the Regional Board adopted additional revisions to the TMDL to revise the interim waste load allocations and implementation provisions.
7. SWRCB finds that provisions of the amendment as adopted warrant minor non-substantive clarification of the language.
8. Regional Board Resolution No. 04-004 delegated to the Regional Board Executive Officer authority to make minor, non-substantive clarifications to the adopted amendment, if needed, for clarity or consistency. By memorandum dated June 16, 2004, the Regional Board Executive Officer has made the necessary clarifications to the amendment (Attachment 2).
9. Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and other State laws and regulations.

10. The Regional Board found that the additions of this amendment would result in no adverse effect on wildlife, and the amendment would be consistent with the State Antidegradation Policy (SWRCB Resolution No. 68-16) and federal antidegradation requirements.
11. A Basin Plan amendment does not become effective until approved by SWRCB and until the regulatory provisions are approved by OAL. Additionally, the TMDL must be approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

SWRCB:

1. Approves the amendment to the Basin Plan to incorporate a TMDL for chloride for Reaches 5 and 6 of the Upper Santa Clara River adopted under Regional Board Resolution No. 04-004 (Attachment 1), as corrected by the Executive Officer (Attachment 2).
2. Authorizes the Executive Director or designee to submit the amendment and administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned, 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 July 22, 2004.


Debbie Irvin
Clerk to the Board