

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2009-0052**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE
LOS ANGELES REGION (BASIN PLAN) TO REVISE THE WASTE LOAD ALLOCATIONS
FOR THE CALLEGUAS CREEK WATERSHED NITROGEN COMPOUNDS AND
RELATED EFFECTS TOTAL MAXIMUM DAILY LOAD (TMDL)

WHEREAS:

1. On October 24, 2002, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted an amendment to the Basin Plan, Resolution No. 02-017, to include a TMDL for Nitrogen compounds and related effects in the Calleguas Creek watershed. The TMDL was approved by the State Water Resources Control Board (State Water Board) on March 19, 2003, the Office of Administrative Law (OAL) on June 5, 2003, and the U.S. Environmental Protection Agency (U.S. EPA) on June 20, 2003.
2. On September 11, 2008, the Los Angeles Water Board adopted Resolution No. R4-2008-009 amending the Basin Plan to revise the waste load allocations for the Calleguas Creek Watershed Nitrogen Compounds and Related Effects TMDL.
3. The Los Angeles Water Board found that the analysis contained in the Final Project Report, the California Environmental Quality Act (CEQA) "substitute documentation" for the proposed Basin Plan amendment, including the CEQA Checklist, the staff report, and the responses to comments prepared by Los Angeles Water Board staff and Resolution R4-2008-009 adopted by the Los Angeles Water Board complies with the requirements of the State Water Board's 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, the Los Angeles Water Board complied with the requirements set forth in sections 13240, 13245, and 13246 of the California Water Code. The State Water Board also finds that the regulatory action meets the "Necessity" standard of the Administrative Procedures Act, Government Code, section 11353, Subdivision (b).
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 Policy (40 Code of Federal Regulations 131.12).
6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL must also be approved by U.S. EPA.
7. Los Angeles Water Board staff determined that minor, non-substantive changes to the language of the Basin Plan amendment were 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 dated January 23, 2009.

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. R4-2008-009 as corrected by the Los Angeles Water Board Executive Officer on January 23, 2009.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Los Angeles Water Board Resolution No. R4-2008-009 to OAL for approval of the regulatory provisions and to U.S. EPA for approval of the TMDL.

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 June 16, 2009.

AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Arthur G. Baggett, Jr.
Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board