STATE WATER BOARD
RESOLUTION NO. 2005-0067

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD FOR TOXICITY, CHLORPYRIFOS, AND DIAZINON IN THE CALLEGUAS CREEK WATERSHED AND MUGU LAGOON

WHEREAS:

1. The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted the revised Water Quality Control Plan for the Los Angeles Region (Basin Plan) under Resolution No. 94-07 on June 13, 1994. The State Water Resources Control Board (State Water Board) approved the revised Basin Plan on November 17, 1994 and by the Office of Administrative Law (OAL) on February 23, 1995.

2. A consent decree between the U.S. Environmental Protection Agency (USEPA), Heal the Bay, Incorporated and Baykeeper, Incorporated was approved on March 22, 1999. This court order establishes a requirement to establish a Total Maximum Daily Load (TMDL) to reduce toxicity, chlorpyrifos, and diazinon in the CCW by March 22, 2006.

3. On July 7, 2005, the Los Angeles Water Board adopted Resolution No. R4-2005-009 (Attachment) to incorporate a TMDL for toxicity, chlorpyrifos, and diazinon in Calleguas Creek, its tributaries, and Mugu Lagoon.

4. Los Angeles Water Board Resolution No. R4-2005-009 delegated to its Executive Officer authority to make minor, non-substantive corrections to the adopted amendment if needed for clarity or consistency. The State Water Board staff finds that provisions of the amendment, as adopted, warranted minor, non-substantive clarification of the language of various provisions. The Los Angeles Water Board Executive Officer has made the necessary corrections to the amendment.

5. The State Water Board finds that the amendment is in conformance with the requirements for TMDL development specified in section 303(d) of the federal Clean Water Act and State Water Board Resolution No. 68-16, and is an appropriate program of implementation pursuant to Water Code section 13242.

6. The State Water Board finds that the Basin Plan amendment is in conformance with the requirements of Water Code section 13240, which specifies that Regional Water Quality Control Boards shall periodically review and may revise the Basin Plans.

7. The Basin Plan amendments do not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. In addition, TMDLs must be approved by the USEPA.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan as adopted under the Los Angeles Water Board Resolution No. R4-2005-009 as corrected by the Regional Board Executive Officer.

2. Authorizes the Executive Director to submit the amendment adopted under Los Angeles Water Board Resolution R4-2005-009, as approved, and the 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 September 22, 2005.

Debbie Irvin
Clerk to the Board