

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2010-0065**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LOS ANGELES REGION (BASIN PLAN) TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR POLYCHLORINATED BIPHENYLS (PCBS), ORGANOCHLORINE PESTICIDES (PESTICIDES) AND SEDIMENT TOXICITY IN MCGRATH LAKE

WHEREAS:

1. On October 1, 2009, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted an amendment to the Basin Plan, [Resolution No. 09-006](#), to incorporate a TMDL for PCBs, pesticides and sediment toxicity in McGrath Lake.
2. The TMDL for PCBs, pesticides and sediment toxicity in McGrath Lake is designed to protect the recreation (REC 1 and REC 2), aquatic life (EST, WILD, RARE, WET) and commercial and sportfishing (COMM) beneficial uses of McGrath Lake by achieving the numeric and narrative water quality objectives set forth to protect those uses.
3. The Los Angeles Water Board found that the analysis contained in the Final Project Report, the California Environmental Quality Act (CEQA) "Substitute Environmental Document" 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 R09-006 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 and 13242 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 is consistent with the Antidegradation Policy ([State Water Board Resolution No. 68-16](#)) and Federal Antidegradation Policy (40 CFR 131.12), in that it does not allow degradation of water quality, but requires restoration of water quality and attainment of water quality standards.
6. Numeric targets expressed as loading capacities for the TMDL are based on the water quality objectives provided in the Basin Plan. Compliance with the targets will be based on a fourteen-year implementation schedule.
7. On July 22, 2010, the Los Angeles Water Board Executive Officer initiated an [EO correction](#) for minor non-substantive changes to the Basin Plan amendment adopted under Los Angeles Water Board Resolution R09-006 for clarity and consistency.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The TMDL must also be approved by the U.S. Environmental Protection Agency (U.S. EPA).

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. R09-006.
2. Directs the Executive Director or designee to submit the amendment adopted under Los Angeles Water Board Resolution No. R09-006 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 December 14, 2010.

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

NAY: None

ABSENT: None

ABSTAIN: None

  
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Jeanine Townsend  
Clerk to the Board