

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2009-0029**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR  
THE LOS ANGELES REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD (TMDL)  
FOR TRASH IN THE MALIBU CREEK WATERSHED

WHEREAS:

1. On May 1, 2008, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted Resolution No. R4-2008-007 ([Attachment](#)) amending the Basin Plan to incorporate a total maximum daily load (TMDL) for trash in the Malibu Creek Watershed.
2. The TMDL for trash in the Malibu Creek Watershed is designed to protect municipal and domestic water supply, groundwater recharge, aquatic life habitat, wildlife habitat, water contact recreation, and non-contact water recreation beneficial uses of the Malibu Creek Watershed and to achieve the narrative water quality objectives established 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 Document" for the proposed Basin Plan amendment, including the CEQA Checklist, the staff report, the responses to comments prepared by Los Angeles Water Board staff, and the resolution adopted by the Los Angeles Water Board complies with the requirements of the State Water Resources Control Board's (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 to establish this TMDL, the Los Angeles Water Board complied with the requirements set forth in sections 13240, 13242, and 13269 of the California Water Code. The State Water Board also finds that the TMDL is consistent with the requirements of federal Clean Water Act section 303(d).
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 requirements.
6. The Los Angeles Water Board established a loading capacity, represented as a numeric target for the Malibu Creek Watershed, at zero trash. Compliance with this trash load will be based on a five or eight year implementation schedule depending on the method of compliance implemented.
7. 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 adopted under Los Angeles Water Board Resolution No. R4-2008-007.
2. Authorizes the Executive Director or designee to submit the amendment to OAL for approval of the regulatory provisions and to U.S. EPA to approve 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 March 17, 2009.

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

NAY: None

ABSENT: None

ABSTAIN: None



---

Jeanine Townsend  
Clerk to the Board