

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

June 13, 2019
Resolution No. R19- 006

Non-Regulatory Amendments to the *Water Quality Control Plan for the Los Angeles Region* to Administratively Update Chapter 4 “Strategic Planning and Implementation” and Chapter 5 “Plans and Policies”

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) finds that:

1. The *Water Quality Control Plan for the Los Angeles Region* (Basin Plan) is the Los Angeles Water Board’s water quality control plan for the coastal watersheds of Los Angeles and Ventura Counties. The Basin Plan contains (i) the region’s water quality standards, which consist of beneficial uses, water quality objectives to protect those uses, and an antidegradation policy, (ii) programs of implementation and other actions necessary to achieve water quality standards, and (iii) non-regulatory descriptions of environmental and land use characteristics of the region, including water quality conditions and related issues.
2. The Basin Plan may be amended in accordance with Water Code section 13240 *et seq.*
3. The amendments to administratively update Chapter 4 of the Basin Plan specifically include the following:
 - (i) Addition of a description of “A Resolution to Prioritize Actions to Adapt and Mitigate the Impacts of Climate Change on the Los Angeles Region’s Water Resources and Associated Beneficial Uses” (Resolution No. R18-004) adopted by the Los Angeles Water Board in May 2018, and
 - (ii) Addition of a description of Part 2 of the “Los Angeles Region Framework for Climate Change Adaptation and Mitigation - *Potential Regulatory Adaptation and Mitigation Measures*” published by the Los Angeles Water Board in April 2019.
4. The amendments to administratively update Chapter 5 of the Basin Plan specifically include the following:
 - (i) Addition of a description of the State Water Board’s “Comprehensive Response to Climate Change” resolution (State Water Board Resolution No. 2017-0012),
 - (ii) Additions of descriptions of new and revised statewide water quality control plans, policies and significant resolutions adopted since September 2014;
 - (iii) Additions to Table 5-1: “Significant Regional Water Board Resolutions, excluding those that amended the Basin Plan” to reflect the adoption of Resolution No. R18-

004, "A Resolution to Prioritize Actions to Adapt and Mitigate the Impacts of Climate Change on the Los Angeles Region's Water Resources and Associated Beneficial Uses," the adoption of the 2014-2016 and the 2017-2019 Triennial Review Selection of Basin Planning Projects (Resolution No. R15-011 and No. R18-003), and the adoption of other significant Regional Water Board Resolutions since September 2014,

- (iv) Additions to Table 5-2: "Regional Water Board Resolutions incorporating Basin Plan Updates and Amendments (not including TMDLs or amendments to incorporate groundwater basin salt and nutrient management measures)" to update the list of Basin Plan amendments and updates adopted by the Los Angeles Water Board,
 - (v) Additions to Table 5-3: "TMDLs Applicable to Waterbodies within the Los Angeles Region" to update the list of TMDLs adopted by the Los Angeles Water Board, and
 - (vi) The addition of a new table, Table 5-4, which lists Basin Plan amendments incorporating groundwater basin salt and nutrient management measures from stakeholder-led salt and nutrient management plans (SNMPs).
5. These amendments to administratively update the Basin Plan are non-regulatory in nature and impose no new regulatory requirements. These amendments do not involve changes to water quality standards or their implementation provisions. The non-regulatory, administrative changes are intended solely to provide more current information and to improve the clarity and consistency of the Basin Plan.
 6. Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 *et seq.*) requirements for preparing environmental documents (14 Cal. Code Regs. § 15251(g); 23 Cal. Code Regs. § 3782). However, as these amendments consist of non-regulatory, administrative updates to the Basin Plan, these amendments will not result in direct or indirect physical changes to the environment and do not constitute a "project" under CEQA. Accordingly, the State Water Board's CEQA regulations do not apply to this action. (23 Cal. Code Regs. § 3720(b).)
 7. These amendments do not involve the adoption or revision of a water quality standard or program of implementation. Therefore, Water Code sections 13241 and 13242 do not apply to this action. While the Los Angeles Water Board is not required to consider the factors in Water Code section 13241, the Los Angeles Water Board nevertheless finds that these amendments will have no impact on any of the factors set forth in Water Code section 13241.
 8. These amendments do not include scientific elements. Therefore, these amendments do not require independent, external scientific peer review in accordance with Health and Safety Code section 57004.
 9. A Notice of Hearing was published and circulated 45 days preceding Board action. Notice of the hearing was published in the Los Angeles Times and Ventura County Star on April 3, 2019, in accordance with the requirements of Water Code section 13244.
 10. The public has had a reasonable opportunity to participate in the review of the proposed amendments to the Basin Plan. The draft tentative resolution, Basin Plan amendment,

and staff report were released for public comment on April 4, 2019, to allow a 45-day public comment period in advance of the public hearing. Los Angeles Water Board staff responded to written comments received from the public. The proposed amendments and staff report have been revised as appropriate in response to comments.

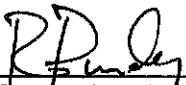
11. On June 13, 2019 the Los Angeles Water Board held a public hearing to consider adoption of the proposed amendments to administratively update Chapters 4 and 5 of the Basin Plan.
12. Los Angeles Water Board staff has prepared a staff report that describes the proposed amendments as well as the specific necessity and rationale for this administrative update to Chapters 4 and 5 of the Basin Plan. The staff report, titled "Administrative Update of Chapter 4 'Strategic Planning and Implementation' and Chapter 5 'Plans and Policies' of the Water Quality Control Plan for the Los Angeles Region" is an integral part of this Board action and was reviewed, considered, and accepted by the Los Angeles Water Board before acting at the hearing.
13. Non-regulatory amendments to the Basin Plan do not become effective until approved by the State Water Board and until the Office of Administrative Law (OAL) has concurred on their non-regulatory status.
14. These amendments do not involve adoption or revision of water quality standards for surface water. Thus, USEPA approval is not required.
15. If during the approval process, Los Angeles Water Board staff, the State Water Board or State Water Board staff, or OAL determines that minor, non-substantive modifications to the language of these amendments are needed for clarity or consistency, the Executive Officer should make such changes consistent with the Los Angeles Water Board's intent in adopting these amendments, and should inform the Los Angeles Water Board of any such changes.

THEREFORE, be it resolved that:

1. Pursuant to Water Code section 13240, the Los Angeles Water Board, after considering the entire record, including oral testimony at the hearing, hereby approves the Staff Report and adopts the amendments to Chapter 4 "Strategic Planning and Implementation" and Chapter 5 "Plans and Policies" of the *Water Quality Control Plan for the Los Angeles Region* as set forth in Attachment A and B hereto, to:
 - (i) Update descriptions of climate change considerations within the Los Angeles Water Board programs in Chapter 4;
 - (ii) Incorporate a description of the State Water Board's "Comprehensive Response to Climate Change" resolution (State Water Board Resolution No. 2017-0012) in Chapters 4 and 5;
 - (iii) Incorporate descriptions of new and revised statewide water quality control plans, policies, and significant resolutions in Chapter 5;
 - (iv) Update Table 5-1 of Chapter 5 to reflect recent significant Regional Water Board resolutions;

- (v) Update Table 5-2 of Chapter 5 to reflect recent Basin Plan updates and amendments;
 - (vi) Update Table 5-3 of Chapter 5 to reflect newly adopted TMDLs or revisions to existing TMDLs;
 - (vii) Add Table 5-4 to Chapter 5 to provide a list of Basin Plan amendments incorporating groundwater basin salt and nutrient management measures identified in stakeholder-led salt and nutrient management plans (SNMPs).
2. The Executive Officer is directed to forward copies of these amendments to the State Water Board in accordance with the requirements of Water Code section 13245.
 3. The Los Angeles Water Board requests that the State Water Board approve these amendments in accordance with the requirements of Water Code sections 13245 and 13246.
 4. The Los Angeles Water Board authorizes the Executive Officer or her designee to submit these amendments adopted by this resolution to OAL for concurrence on their non-regulatory status and to USEPA for informational purposes.
 5. If during the approval process, Los Angeles Water Board staff, the State Water Board or State Water Board staff, or OAL determines that minor, non-substantive modifications to the language of these amendments are needed for clarity or consistency, the Executive Officer may make such changes consistent with the Los Angeles Water Board's intent in adopting these amendments, and shall inform the Los Angeles Water Board of any such changes.

I, Renee Purdy, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on June 13, 2019.



Renee Purdy
Executive Officer