

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2006 – 0051**

RESOLUTION SETTING ASIDE THE ADOPTION OF AN AMENDMENT TO THE
WATER QUALITY CONTROL PLAN
FOR THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
INCORPORATING A
TOTAL MAXIMUM DAILY LOAD FOR TRASH FOR THE LOS ANGELES RIVER

WHEREAS:

1. The California Court of Appeal issued an opinion on January 26, 2006, which upheld in most respects actions taken by the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) and the State Water Resources Control Board (State Water Board) when they adopted and approved a Total Maximum Daily Load (TMDL) for trash in the Los Angeles River. The Court disapproved of the California Environmental Quality Act (CEQA) analysis prepared by the Los Angeles Water Board, and issued a writ of mandate that orders the California Water Boards to set aside the TMDL, until it has been brought into compliance with CEQA. A return to the writ must be filed by July 24, 2006.
2. The trial court originally issued an order that granted a petition for writ of administrative mandamus in the matter of *The Cities of Arcadia, et al. v. State Water Resources Control Board*, Case No. GIC803631. As ordered by the Court, State Water Resources Control Board Resolution No. 2002-0038 is hereby set aside. The TMDL for trash in the Los Angeles River is remanded to the Los Angeles Water Board.
3. The Los Angeles Water Board is directed to revise and reconsider its CEQA compliance as required by the decision of the Court of Appeal.

This Resolution is not precedential.

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THEREFORE BE IT RESOLVED THAT:

State Water Resources Control Board Resolution No. 2002-0038 is set aside and remanded for further proceedings consistent with this Resolution.

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 July 19, 2006.

AYE: Tam M. Doduc
Gerald D. Secundy
Arthur G. Baggett, Jr.
Charles R. Hoppin
Gary Wolff, P.E., Ph.D.

NO:

ABSENT:

ABSTAIN:



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Clerk to the Board