

State of California
Office of Administrative Law



In re:
State Water Resources Control Board

NOTICE OF APPROVAL OF REGULATORY
ACTION

Regulatory Action:

Government Code Section 11353

DWG
Rise

Title 23, California Code of Regulations

OAL File No. 2008-0916-01 S

Adopt sections:
Amend sections: 3939.19
Repeal sections:

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DIVISION OF WATER QUALITY

On September 6, 2007, the Los Angeles Regional Water Quality Control Board adopted an amendment to the Los Angeles Water Quality Control Plan, Resolution R2007-014, which readopts a Total Maximum Daily Load ("TMDL") for metals in the Los Angeles River and its impaired tributaries. Several cities filed a petition for a writ of mandate challenging several aspects of this TMDL as well as the TMDL for Ballona Creek. On May 24, 2007, the Los Angeles County Superior Court rejected all but one of the challenges to the TMDL. According to the Los Angeles County Superior Court ruling, the State and Regional Water Boards should have adopted and circulated an alternatives analysis pursuant to Public Resources Code section 21080.5 and 23 Cal. Code of Regs. section 3777. The new administrative record includes this analysis. Both the Regional Water Quality Control Board and the State Water Resources Control Board held subsequent hearings to re-adopt the TMDL. The Los Angeles Regional Water Quality Control Board adopted Resolution No. R2007-014 on September 6, 2007. The State Water Resources Control Board adopted resolution No 2008-046 on June 17, 2008.

OAL approves this regulatory action pursuant to section 11353 of the Government Code.

Date: 10/14/2008

Holly Geneva Stout
Staff Counsel

For: SUSAN LAPSLEY
Director