

**State of California  
Office of Administrative Law**

In re:  
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections:

Amend sections: 3939.31

Repeal sections:

NOTICE OF APPROVAL OF REGULATORY  
ACTION

Government Code Section 11353

OAL Matter Number: 2020-0219-04

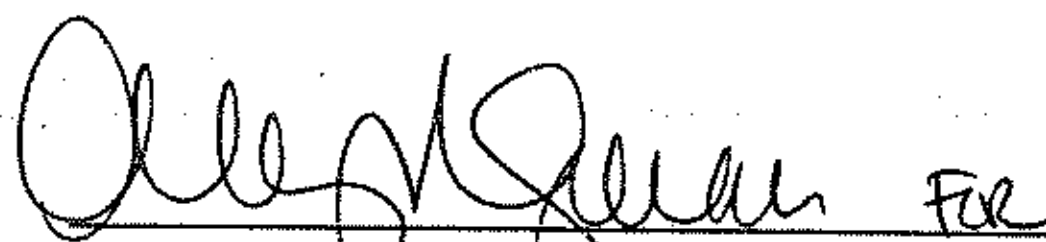
OAL Matter Type: Regular (S)

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On June 14, 2018, the Los Angeles Regional Water Quality Control Board adopted Resolution No. R18-005, which amends the Water Quality Control Plan for the Los Angeles Region (Basin Plan amendment). The amendment revises the 2007 Revolon Slough and Bearsley Wash TMDL program to align with the scope of the statewide Trash Amendments. On May 21, 2019, the State Water Resources Control Board (SWRCB) approved this amendment under Resolution No. 2019-0018.

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

Date: April 2, 2020



Thanh Huynh  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: Eileen Sobeck, Executive  
Director

Copy: Jun Zhu

**REGULAR**  
NOTICE PUBLICATION/REGULATIONS SUBMISSION

**11353**  
(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2020-0219-045</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

**APR 02 2020**

**1:52 P.M.**

2020 FEB 19 P 1:16

OFFICE OF  
ADMINISTRATIVE LAW

AGENCY WITH RULEMAKING AUTHORITY  
State Water Resources Control Board

AGENCY FILE NUMBER (if any)  
2019-0018

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE Amendment to the Los Angeles Basin Plan	TITLE(S) 23	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
<b>OAL USE ONLY</b> ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE	

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Reconsideration of the Revolon Slough/Beardsley Wash Trash TMDL	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
<b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	ADOPT
	AMEND 3939.31
TITLE(S) <b>23</b> per agency request	REPEAL

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input checked="" type="checkbox"/> Other (Specify) <u>Gov Code Section 11353</u>	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <u>Upon Approval (Gov. Code 11353)</u>
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Jun Zhu	TELEPHONE NUMBER (213) 576-6691	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Jun.Zhu@waterboards.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>R. Purdy</i>	DATE 4/30/20
TYPED NAME AND TITLE OF SIGNATORY Renee Purdy, CEA	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

**APR 02 2020**

Office of Administrative Law

## CONCISE SUMMARY OF REGULATORY PROVISIONS

### TITLE 23. Waters

#### Division 4. Regional Water Quality Control Boards

#### Chapter 1. Water Quality Control Plans, Policies, and Guidelines

#### Article 4. Los Angeles Region

#### § 3939.31, Revolon Slough/Beardsley Wash Trash TMDL

Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) Resolution No. R4-2007-007, adopted on June 7, 2007 by the Los Angeles Water Board, modified the regulatory provisions of the Water Quality Control Plan for the Los Angeles Region by: (1) revising the Table of Contents, (2) adding introductory text for Chapter 7 (Total Maximum Daily Loads), and (3) establishing a Total Maximum Daily Load for trash in Revolon Slough and Beardsley Wash.

The amendment establishes the numeric target with which wasteload allocations for point source discharges and load allocations for nonpoint source discharges are calculated. Wasteload allocations will be implemented through storm water permits via the authority vested in the Executive Officer by section 13267 of the Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.). Load allocations shall be implemented through either (1) a conditional waiver from waste discharge requirements, or (2) an alternative program implemented through waste discharge requirements or an individual waiver or another appropriate order of the Los Angeles Water Board.

The Regional Board adopted Resolution No. R18-005 on June 14, 2018 revising the TMDL to align the implementation requirements in the existing TMDL with the scope of the "Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash" and "Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries," known as the statewide Trash Amendments. In accordance with the statewide Trash Amendments, MS4 permittees assigned WLAs in the Revolon Slough and Beardsley Wash Trash TMDL are only required to address point source discharges of trash in priority land use areas in the MS4. The revised TMDL requires nonpoint source responsible entities to revise their trash monitoring and reporting plans to increase the frequencies and locations of trash collection events to address any trash potentially discharged from non-priority MS4 land use areas.

The revised TMDL also removes the waivers of Waste Discharge Requirements to regulate nonpoint sources of trash and replaces the requirement with language referencing the statewide Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program. The revised TMDL also separates requirements for the California Department of Transportation from requirements for other MS4 permittees, consistent with the statewide Trash Amendments.