STATE OF CALIFORNIA OFFICE OF ADMINISTRATIVE LAW

In re:

STATE WATER RESOURCES CONTROL BOARD

REGULATORY ACTION:

Title 23, California Code of Regulations

Adopt sections 3936

NOTICE OF APPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

OAL File No. 02-0605-01 S

This action establishes no trash as the total maximum daily load of trash allowed to be discharged into the Ballona Creek and Wetland, and adopts a schedule for the progressive attainment of this standard over a period of ten years after two years of baseline monitoring.

OAL approves this regulatory action pursuant to section 11349.1 of the Government Code.

DATE: 07/18/02

barban Steinhardt - Carter

BARBARA STEINHARDT-CARTER Senior Staff Counsel

for: DAVID B. JUDSON Deputy Director/Chief Counsel

Original :

cc : Joanna Jensen

Celeste Cantu, Executive Director

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CONCISE SUMMARY OF REGULATORY PROVISIONS

Article 4 – "Los Angeles Region", Section 3936, "A Total Maximum Daily Load for Trash for the Ballona Creek and Wetland."

Regional Board Resolution No. 01-014 adopted on September 19, 2001 by the Los Angeles Regional Water Quality Control Board, modified the Regulatory provisions of the Water Quality Plan for the Los Angeles Region (Basin Plan) by (1) revising the Table of Contents and the List of Figures, Tables, and Inserts, (2) adding text to Chapter 3 (Water Quality Objectives) to reference specific guidelines for the Ballona Creek and Wetland, and (3) adding text to Chapter 7 (Total Maximum Daily Loads Summaries) which establishes a Total Maximum Daily Load (TMDL) for Trash for the Ballona Creek and Wetland. This TMDL addresses the impairment of water quality due to trash being discharged to the creek via municipal storm drains; and will be implemented through the National Pollutant Discharge Elimination System storm-water permits.

The numeric target of zero trash in the river implicitly incorporates a margin of safety, based on a conservative interpretation of narrative water quality objectives. The TMDL establishes a schedule for progressively reducing the amount of trash discharged by ten percent per year, until the target is reached. California Department of Transportation and the Los Ångeles County Department of Public Works and its municipal storm water co-permittees are responsible for trash discharged from the storm drains to the Ballona Creek and Wetland, and have been assigned default waste load allocations. The permittees are required to submit a plan for baseline monitoring to refine the waste load allocations within 30 days of the Regional Board's request as authorized by Section 13267 of the California Water Code. After a period of baseline monitoring, the implementation phase of the TMDL is scheduled to begin on October 1, 2003. Compliance with the TMDL numeric target must be demonstrated no later than September 30, 2015.