

**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:** 3939.44

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11353**

**OAL Matter Number: 2025-0703-02**

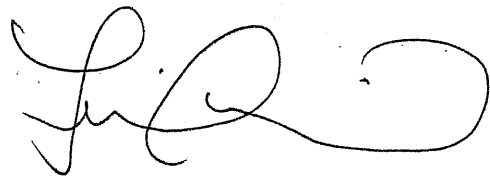
**OAL Matter Type: Regular Resubmittal (SR)**

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This action conducted pursuant to Government Code section 11353 amends the Water Quality Control Plan for the Los Angeles Region. On October 13, 2022, the Los Angeles Regional Water Quality Control Board adopted Resolution No. R22-005 to revise the Total Maximum Daily Load for toxic pollutants in the Dominguez Channel and Greater Los Angeles and Long Beach Harbor waters. The State Water Resources Control Board approved the amendment under Resolution No. 2024-0005 on January 17, 2024.

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

**Date:** August 15, 2025



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**Lindsey S. McNeill  
Senior Attorney**

**For:** Kenneth J. Pogue  
Director

**Original:** Eric Oppenheimer, Executive  
Director

**Copy:** Thanhloan Nguyen

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

RESUBMITTAL

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2025-0703-02</b>	EMERGENCY NUMBER <b>SR</b>
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

AUG 15 2025

2:17 PM  
*[Signature]*

AGENCY WITH RULEMAKING AUTHORITY  
State Water Resources Control Board

AGENCY FILE NUMBER (If any)

**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)		OAL USE ONLY		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) R4 Dominguez Channel and Greater Harbor Waters TMDL Revision		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) OAL File 2025-0128-015	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
AMEND		3939.44	
TITLE(S) 23		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"/> File & Print <input type="checkbox"/> Print Only <input checked="" type="checkbox"/> Other (Specify) <u>Government 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>			
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 THANHLOAN NGUYEN		TELEPHONE NUMBER (213) 576-6689	FAX NUMBER (Optional) (213) 576-6640
		E-MAIL ADDRESS (Optional) tnguyen@waterboards.ca.gov	

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 **Jenny Newman**  
TYPED NAME AND TITLE OF SIGNATORY  
**JENNY NEWMAN, ASSISTANT EXECUTIVE OFFICER**

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

AUG 15 2025

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

§ 3939.44. A Total Maximum Daily Load for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters.

(a) On May 5, 2011, the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) adopted Resolution No. R11-008, amending the Water Quality Control Plan for the Los Angeles Region by establishing a Total Maximum Daily Load (TMDL) for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters. The TMDL includes numeric targets for the water column based on California Toxics Rule criteria for protection of human health; sediment targets based on the narrative standards of the Basin Plan, the Enclosed Bays and Estuaries Plan, Sediment Quality Objectives (SQOs) Part 1, and sediment quality guidelines compiled by the National Oceanic and Atmospheric Administration; and fish tissue targets based on Office of Environmental Health Hazard Assessment (OEHHA) Fish Contaminant Goals. Final-Load allocations (LAs) are assigned to direct atmospheric deposition and bed sediments. Final-waste load allocations (WLAs) are assigned to stormwater discharges from municipal separate storm sewer systems, California Department of Transportation (Caltrans) facilities, and construction and industrial facilities, and other NPDES permitted discharges in both wet and dry weather. Dominguez Channel freshwater allocations are set for wet weather only because exceedances of water quality standards have only been documented in wet weather. The implementation plan includes a variety of implementation strategies to meet the required WLAs and LAs by reducing sediment transport from the upstream and nearshore watersheds to Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters and implementing targeted actions addressing identified hotspots.

~~TMDL implementation will be carried out by assigned responsible parties for (1) Dominguez Channel, Torrance Lateral, and Dominguez Channel Estuary; (2) Greater Los Angeles and Long Beach Harbor waters (including Consolidated Slip); and (3) Los Angeles River and San Gabriel River as listed in detail in the Basin Plan, Table 7-40.1. Responsible parties can implement a variety of implementation strategies to meet the required WLAs and LAs by reducing sediment transport from the upstream and nearshore watersheds to Dominguez Channel and Greater Los Angeles and Long Beach Harbor waters, and implementing targeted actions addressing internal reservoirs of contaminants. Dischargers and responsible parties may implement structural and or non-structural BMPs and work collaboratively to achieve the numeric targets and allocations.~~

~~The TMDL requires responsible parties for the assigned WLAs and LAs to submit: monitoring plans (MP) and Implementation Plans (IP) and Contaminated Sediment Management Plans (CSMP) within twenty months (MP) and two years (IP and CSMP) after the effective date of the TMDL. Responsible agencies shall submit progress reports to provide updates on the status of implementation actions performed under the TMDL three years after the effective date of the TMDL and annually thereafter. The Los Angeles Water Board will reconsider targets, WLAs, and LAs six years after the effective date of the TMDL based on new policies, data or special studies. The implementation schedule for achieving applicable WLAs and LAs is 20 years after the effective date of the TMDL.~~

(b) On October 13, 2022, the Los Angeles Water Board adopted Resolution R22-005, amending the Water Quality Control Plan to revise the TMDL for Toxic Pollutants in Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters. The Basin Plan amendment adopted by the Resolution No. R22-005 revises the TMDL adopted by Resolution No. R11-008 to incorporate the updated Sediment Quality Provisions (SQPs), including SQOs for the protection of the benthic community and human health, into compliance options for the WLAs and LAs; additional source assessment and implementation recommendations for polychlorinated biphenyls (PCBs); additional linkage analysis; revisions to monitoring requirements to require improved PCBs methods; revisions of the fish tissue monitoring frequency to be consistent with sediment sampling; and other revisions to correct errors or for clarification.