

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Petition
of Hacienda Malibu, Ltd., for
Review of Order No. 75-29,
California Regional Water Quality
Control Board, Los Angeles Region.
Our Files Nos. A-158 and A-158(a).

Order No. WQ 79-3

BY THE BOARD:

Hacienda Malibu, Ltd., (petitioner) seeks to develop about 19 acres in the unsewered and unincorporated community of Malibu adjacent to the Los Angeles County's Malibu Civic Center. Development would consist of 97 condominiums, a 120-room hotel with a restaurant, bar, entertainment and banquet rooms and public recreation facilities including two swimming pools and twenty tennis courts.

On September 27, 1976, the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) re-considered waste discharge requirements for a proposed discharge of waste by the petitioner, and upon close of testimony, adopted a motion that the application for waste discharge requirements be denied. On October 26, 1976, a petition requesting review of the Regional Board's action and a hearing was received from the petitioner by the State Water Resources Control Board (State Board). And, on March 2, 1977, the State Board received a petition to intervene in this matter by Ms. Marilyn Myerly. Finally, on May 9, 1977, the Malibu Township Council, Inc., filed a petition to intervene.

On August 9, 1977, the petitioner was advised that the State Board could not adopt an order resolving the issues raised in the petition because the County of Los Angeles had not complied with the requirements of the California Environmental Quality Act (CEQA) [Division 13, California Public Resources Code, Section 21000, et seq.] and the Resources Agency Guidelines for implementing CEQA (Title 14, California Administrative Code, Division 6, Chapter 3) when adopting an Environmental Impact Report (EIR). In correspondence dated March 22 and November 3, 1978, the petitioner indicated that efforts were being made to obtain a properly adopted EIR. Anticipating a hearing on the EIR in March of 1979, the petitioner has requested the State Board to continue holding this matter in abeyance.

I. DISCUSSION

Due to the lack of demonstrable progress in obtaining an EIR, this petition and the petitions to intervene should be dismissed. In the event the petitioner obtains, eventually, an EIR on this project, this petition and the petitions to intervene may be reopened without prejudice to the cause of any party.

II. ORDER

IT IS HEREBY ORDERED that this matter is dismissed
without prejudice.

Dated: JAN 25 1979

ABSENT

John E. Bryson, Chairman

W. Don Maughan
W. Don Maughan, Vice Chairman

William J. Miller
William J. Miller, Member

L. L. Mitchell
L. L. Mitchell, Member