

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

11353

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 201-1220-015	EMERGENCY NUMBER
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ENDORSED - FILED in the office of the Secretary of State of the State of California

FEB 2 2012 2:08 PM

DEBRA BOWEN Secretary of State

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2011 DEC 20 PM 3:52

OFFICE OF ADMINISTRATIVE LAW

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
State Water Resources Control Board (SWRCB)

AGENCY FILE NUMBER (if any)
2011-0030

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

1. SUBJECT OF NOTICE	TITLE(S)	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 Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE	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) Colorado R. Basin Coachella Valley Basin Plan amendment E. coli TMDLs	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)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 3968
	AMEND
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"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov.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 Resubmittal of disapproved or withdrawn emergency filing (Gov.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) Gov't Code 11353	

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 30th day after filing with Secretary of State	<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) Upon Approval (Gov't Code 11353)
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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 Michael Buckman	TELEPHONE NUMBER 916-341-5479	FAX NUMBER (Optional) 916-341-5550	E-MAIL ADDRESS (Optional) mbuckman@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 Victoria A. Whitney	DATE 12/14/11
TYPED NAME AND TITLE OF SIGNATORY Victoria A. Whitney, Deputy Director, Division of Water Quality, SWRCB	

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ENDORSED APPROVED

FEB 02 2012

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 7. Colorado River Basin Region

The following section 3968 is to be added to Title 23 of the California Code of Regulations:

Section 3968 – “Total Maximum Daily Load and Implementation Plan for Bacterial Indicators in the Coachella Valley Stormwater Channel.”

Resolution Order No. R7-2007-0039, adopted on May 16, 2007 and revisions adopted by Resolution Order No. R7-2010-0028 on June 17, 2010 by the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board), modified the regulatory provisions of the Water Quality Control Plan for the Colorado River Basin Region by establishing a Total Maximum Daily Load (TMDL) and Implementation Plan for Bacterial Indicators in the Coachella Valley Stormwater Channel. The State Water Resources Control Board approved the amendments under Resolution No. 2011-0030, on July 19, 2011.

The TMDL addresses the impairment to water quality in the Coachella Valley Stormwater Channel due to exceedences of bacteria water quality objectives. The TMDL sets numeric targets for E. coli.

The implementation plan is divided into two phases with Phase I actions being implemented within 90 days following U.S. Environmental Protection Agency (U.S. EPA) approval of the TMDL. Phase I actions will take three years to complete and will focus on monitoring and addressing bacteria associated with wastewater discharges from facilities, urban runoff, and stormwater runoff. If the water quality objectives are not achieved by the end of Phase I, Colorado River Basin Water Board staff will implement additional actions in Phase II to control pathogenic sources. Enforcement actions against violators of the TMDL may be taken in Phases I and/or II, if necessary.