

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Regulatory Action:

Government Code Section 11353

Title 23, California Code of Regulations

OAL File No. 2013-0613-02 S

Adopt sections: 3979.6

Amend sections:

Repeal sections:

This regulatory action by the State Water Resources Control Board (Board) amends the Water Quality Control Plan for the Santa Ana Region as adopted by the Santa Ana Regional Water Resources Control Board (Regional Board) on July 15, 2011, pursuant to Resolution No. R8-2011-0037, and approved by the Board on October 16, 2012, pursuant to Resolution No. 2012-0051. This basin plan amendment establishes a Total Maximum Daily Load (TMDL) for 1,1,1-trichloro-2,2-bis (p-chlorophenyl) ethane (DDT) and toxaphene in San Diego Creek and its tributaries; DDT, and polychlorinated biphenyl (PCBs) in Upper Newport Bay; and chlordane, DDT, and PCBs in Lower Newport Bay. This basin plan amendment also establishes informational TMDLs for chlordane and PCBs for San Diego Creek and its tributaries.

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

Date: 7/26/2013



Kevin D. Hull
Attorney

For: DEBRA M. CORNEZ
Director

Original: Thomas Howard
Copy: Wanda Cross

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

11353 (See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 203-0013-02S	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED FILED IN THE OFFICE OF 2013 JUL 26 PM 3:31

2013 JUN 13 P 1:24 OFFICE OF ADMINISTRATIVE LAW

Signature

AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board (SWRCB)	AGENCY FILE NUMBER (If any) 2012-0051
---	--

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 <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) San Diego Creek, Upper Newport Bay and Lower Newport Bay OCs TMDLs	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
--	--

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 3979.6
	AMEND
TITLE(S) 23	REPEAL

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <u>Government Code 11353</u>	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

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't 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 Wanda Cross	TELEPHONE NUMBER (951)782-4468	FAX NUMBER (Optional) (951)781-6288	E-MAIL ADDRESS (Optional) wcross@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 <i>Victoria A. Whitney</i>	DATE 6/6/13
TYPED NAME AND TITLE OF SIGNATORY Victoria A. Whitney, Deputy Director, Division of Water Quality, SWRCB	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUL 26 2013

Office of Administrative Law