



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT, STAFF WORKSHOP, PUBLIC HEARING AND NOTICE OF FILING¹

PROPOSED PART 3 OF THE WATER QUALITY CONTROL PLAN FOR INLAND SURFACE WATERS, ENCLOSED BAYS, AND ESTUARIES OF CALIFORNIA—BACTERIA PROVISIONS AND A WATER QUALITY STANDARDS VARIANCE POLICY AND PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR OCEAN WATERS OF CALIFORNIA—BACTERIA PROVISIONS AND A WATER QUALITY STANDARDS VARIANCE POLICY

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will receive public comments on the proposed Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Bacteria Provisions and a Water Quality Standards Variance Policy and the Proposed Amendment to the Water Quality Control Plan for Ocean Waters of California—Bacteria Provisions and a Water Quality Standards Variance Policy (hereafter Bacteria Provisions), and the Draft Staff Report, including the Draft Substitute Environmental Documentation, for the Bacteria Provisions (hereafter Staff Report).

NOTICE IS ADDITIONALLY HEREBY GIVEN that State Water Board staff will hold a staff workshop to provide the public an opportunity to discuss the Bacteria Provisions and the Staff Report. Discussion of the Bacteria Provisions primary elements will assist the public with formulating written comments and assist staff in appreciating the public's comments. A quorum of Board members may be present; however, no Board action will be taken. The staff workshop will be:

Monday, July 10, 2017
9:00 a.m. – 12:00 p.m.
Joe Serna Jr. – CalEPA Headquarters Bldg.
Sierra Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

At the staff workshop, staff will present information related to the Bacteria Provisions.

¹ Notice of Filing submitted under California Code of Regulations, title 23, section 3779.

NOTICE IS ADDITIONALLY HEREBY GIVEN that the State Water Board will hold a public hearing to receive public input and comments on the Bacteria Provisions and the Staff Report. A quorum of the State Water Board may be present; however, no Board action will be taken. The public hearing will be:

Tuesday, July 18, 2017

9:30 a.m.

Joe Serna Jr. – CalEPA Headquarters Bldg.

Coastal Hearing Room

1001 I Street, Second Floor

Sacramento, CA 95814

Additional information on the hearing in Sacramento can be found at the State Water Board's website at http://www.waterboards.ca.gov/board_info/calendar/.

THE BACTERIA PROVISIONS

The Bacteria Provisions, if adopted, would apply to fresh, estuarine, and marine waters; include revised indicator organisms [*Escherichia coli* (*E. coli*) and enterococci]; establish a risk protection level; and include new bacteria water quality objectives for the protection of Water Contact Recreation (REC-1). The Bacteria Provisions also include elements necessary for bacteria control implementation including reference beach and natural source exclusion approaches, high flow suspensions, seasonal suspensions, and designation of Limited Water Contact Recreation (LREC-1). In addition, the Bacteria Provisions identify an existing mechanism for adopting water quality standards variances for pollutants and waterbodies.

Beneficial Use

A beneficial use definition for Limited Water Contact Recreation (LREC-1) waters is included in the Bacteria Provisions. This beneficial use definition recognizes that body contact is limited in a waterbody due to physical conditions, such as restricted access and very low water depths.

Water Quality Objectives

New statewide bacteria water quality objectives for REC-1 waters are needed to update the current bacteria objectives in Regional Water Quality Control Board (Regional Water Board) Basin Plans to be consistent with U.S. EPA's 2012 Recreational Water Quality Criteria recommendations. The Bacteria Provisions will ensure that bacterial objectives for REC-1 waters are based on the most recent science and are consistently updated statewide.

The Program of Implementation

The Bacteria Provisions include the following implementation provisions within the context of a Total Maximum Daily Load:

- Reference System/Antidegradation approach.
- Natural Sources Exclusion approach

The Bacteria Provisions include policies supporting:

- High Flow Suspension of the REC-1 beneficial use.
- Seasonal Suspension of the REC-1 beneficial use.

Water Quality Standards Variances

The Bacteria Provisions identify the mechanism for adopting a variance to allow for additional implementation actions applicable to all pollutants and water segments consistent with 40 Code of Federal Regulations section 131.14.

DOCUMENT AVAILABILITY

The Bacteria Provisions, Staff Report, and other information will be available on the State Water Board's website on June 26, 2017 at:

<http://www.waterboards.ca.gov/bacterialobjectives/>.

You may request a paper copy of the proposed Bacteria Provisions by calling Stephanie Rose at (916) 341-5574 or via email at Stephanie.Rose@waterboards.ca.gov, Michael Gjerde at (916) 341-5283 or via email at Michael.Gjerde@waterboards.ca.gov, or Nick Martorano at (916) 341-5290 or via email at Nicholas.Martorano@waterboards.ca.gov.

PROCEDURAL MATTERS

At the July 18th public hearing, there will be no sworn testimony or cross-examination of participants. However, the State Water Board and its staff may ask clarifying questions. At the hearing, participants will be given an opportunity to summarize and supplement their written materials with oral presentations. To ensure a productive and efficient hearing in which all participants have an opportunity to participate, oral presentations may be time-limited. For other presentation recommendations go to:

http://www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml.

The State Water Board will schedule a meeting subsequent to the public hearing at which it will consider adopting the Provisions.

SUBMISSION OF WRITTEN COMMENTS

State Water Board staff will also accept input and recommendations through written comments. Written comments must be received no later than **12:00 noon on Friday, August 11, 2017** and addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (mail)
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand-delivery)

Comment letters may be submitted electronically, in pdf text format (if less than 15 megabytes in total size), to the Clerk to the Board via e-mail at commentletters@waterboards.ca.gov. If the file is greater than 15 megabytes in total size, then the comment letter may be submitted by fax at (916) 341-5620. Please indicate in the subject line: "**Comment Letter—Bacteria Provisions.**"

Couriers delivering hard copies of comment letters must check in with lobby security personnel, who can contact Ms. Townsend at (916) 341-5600.

WEBCAST INFORMATION

Video and audio broadcasts of the staff workshop and public hearing will be available via the internet and can be accessed at: <https://video.calepa.ca.gov/>.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

This is to advise that the State Water Board is proposing to adopt the Bacteria Provisions in accordance with a regulatory program exempt under section 21080.5 of the Public Resources Code from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code section 21000 et seq.) and with other applicable laws and regulations.

PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board website: <http://www.calepa.ca.gov/headquarters-sacramento/location/>.

The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least 5 working days prior to the meeting. TDD users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922.

All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

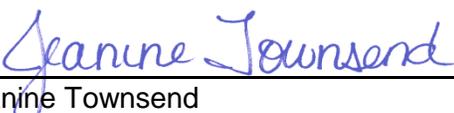
FUTURE NOTICE

The State Water Board staff workshop and public hearing will be at the times and places noted above. Any change in the date, time, and place of the staff workshop and public hearing will be noticed on the webpage: <http://www.waterboards.ca.gov/bacterialobjectives/>.

ADDITIONAL INFORMATION

Please direct questions about this notice to Nick Martorano at (916) 341-5290 or via email at Nicholas.Martorano@waterboards.ca.gov, Stephanie Rose at (916) 341-5574 or via email at Stephanie.Rose@waterboards.ca.gov, or Michael Gjerde at (916) 341-5283 or via email at Michael.Gjerde@waterboards.ca.gov.

_____ May 31, 2017
Date



Jeanine Townsend
Clerk to the Board