**Attachment 1**

**State Policy for Water Quality Control: Toxicity Provisions[Also for inclusion in the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California for waters of the United States]**



**Adopted by the State Water Resources Control Board on December 1, 2020**

**Revised by the State Water Resources Control Board on October 5, 2021**

DIVISION OF WATER QUALITY

**STATE WATER RESOURCES CONTROL BOARD**
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

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1. Section I. is revised as follows:

**I. INTRODUCTION**

This State Policy for Water Quality Control: Toxicity Provisions (TOXICITY PROVISIONS) was adopted by the State Water Resources Control Board (State Water Board) under authority provided by Water Code sections 13140 and 13170.[[1]](#footnote-2) Except as otherwise indicated, the TOXICITY PROVISIONS establishes provisions for water quality that apply to all INLAND SURFACE WATERS, ENCLOSED BAYS, and ESTUARIES AND COASTAL LAGOONS of the state, including both waters of the United States and surface waters of the state. These TOXICITY PROVISIONS do not apply to OCEAN WATERS, including Monterey Bay and Santa Monica Bay. All terms that are defined in Appendix A are reflected in capital letters~~.~~

2. Section II. is deleted:

3. Section III.A. is revised as follows:

**III. WATER QUALITY OBJECTIVES**

4. Section III.B.3., first paragraph, is revised as follows:

**III.B.3. Interaction of Toxicity Provisions with Basin Plans and the** **State Implementation Policy**

In accordance with Water Code section 13170, except where otherwise noted, the TOXICITY PROVISIONS automatically supersede any Regional Water Quality Control Plans (Basin Plans) for waters of the United States to the extent of any conflict. Consistent with its authority in Water Code sections 13140 and 13142, the State Water Board has also determined that the TOXICITY PROVISIONS shall supersede any Regional Water Quality Control Plans (Basin Plans) for all waters of the state to the extent of any conflict. The TOXICITY PROVISIONS supersede section 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, also known as the State Implementation Policy or the SIP.

5. Appendix A: Glossary is revised as follows:

TOXICITY PROVISIONS: Refers to the State Policy for Water Quality Control: Toxicity Provisions .

1. NOTE: The portions of the TOXICITY PROVISIONS that apply to waters for which water quality standards are required by the Federal Water Pollution Control Act and acts amendatory thereof or supplementary thereto (i.e., waters of the United States) will be incorporated into the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California. Future incorporation of those portions of the TOXICITY PROVISIONS, as adopted, into the water quality control plan will be considered non-substantive amendments. At that time, formatting and other organizational edits necessary for incorporation into the water quality control plan will be addressed. [↑](#footnote-ref-2)