

**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. 2014-0425-01 S

Adopt sections: 3949.9

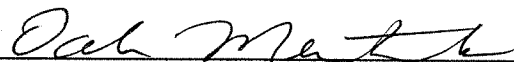
Amend sections:

Repeal sections:

In this Government Code section 11353 action, the State Water Resources Control Board (SWRCB) adopts the Central Valley Water Quality Control Board's (CVRWQCB) Sacramento and San Joaquin Rivers Basin Plan surface water narrative drinking-water water quality objective specific to Cryptosporidium and Giardia. The amendments include an implementation plan which includes numeric triggers which may prompt investigatory action by the CVRWQCB to identify sources of changes to existing water quality. The amendments also include a one-time special study to characterize ambient background conditions and potential sources of Cryptosporidium and to consider monitoring for other chemical constituents.

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

Date: 5/19/2014



Dale P. Mentink
Senior Staff Counsel

For: DEBRA M. CORNEZ
Director

Original: Thomas Howard
Copy: Jay Simi

REGULAR

STATE OF CALIFORNIA - OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION 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 2014-0425-015	EMERGENCY NUMBER
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ENDORSED FILED
IN THE OFFICE OF

<p style="text-align: center;">For use by Office of Administrative Law (OAL) only</p> <p style="text-align: center;">NOTICE</p>	<p style="text-align: center;">REGULATIONS</p>
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2014 MAY 19 PM 3:10

APR 25 AM 11:55
OFFICE OF
ADMINISTRATIVE LAW

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board (SWRCB)	AGENCY FILE NUMBER (if any) 2013-0038
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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) Sacramento & San Joaquin River BP Drinking Water Policy	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 3949.9
	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 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) Upon Approval (Gov't Code 11353)

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 Jay Simi	TELEPHONE NUMBER (916) 464-4833	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) jsimi@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 <i>Victoria A. Whitney</i>	DATE 4/24/2014
TYPED NAME AND TITLE OF SIGNATORY Victoria A. Whitney, Deputy Director, Division of Water Quality, State Water Board	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 19 2014

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 5. Central Valley Region

3949.9 – Drinking Water Policy for surface waters of the Delta and its upstream tributaries

Central Valley Regional Water Quality Control Board Resolution No. R5-2013-0098, adopted on July 26, 2013, modified the regulatory provisions of the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins.

The amendment established a Drinking Water Policy for surface waters of the Delta and its upstream tributaries. The amendment includes a narrative water quality objective for the pathogens *Cryptosporidium* and *Giardia* along with implementation provisions.