

Budget Report:

Item 3940-001-0001—State Water Resources Control Board

1. Total Maximum Daily Load Program.

- (a) On or before January 10, 2002, the State Water Resources Control Board (SWRCB) shall prepare and submit to the Legislature a long-term strategy to achieve water quality standards in impaired water bodies, consistent with the Total Maximum Daily Load (TMDL) program pursuant to Section 303(d) of the federal Clean Water Act. The strategy should address the completion, prior to the 2013 date for completion, of all currently required TMDL analyses and implementation plans. Completion of TMDLs shall include their incorporation into basin plans. This strategy shall include, but is not limited to, all of the following:
- (i) A five-year schedule that identifies specific TMDLs to be completed and their expected completion dates, and major activities to be completed.
 - (ii) A long-term schedule, not to extend beyond the 2013 date for completion, that schedules the completion of all TMDLs on the 1998 list pursuant to Section 303(d) of the federal Clean Water Act.
 - (iii) A description of the existing resources used to address TMDL requirements, organized by fund source and department.
 - (iv) An estimate of the resources needed to adhere to the long-term schedule and achieve the 2013 date for completion.
 - (v) Identification of any shortfalls between existing resources and estimated resource needs to achieve the 2013 date for completion.
 - (vi) Proposed fund sources to address identified shortfalls.
 - (vii) Identification of technical assistance needs of the regional boards and a strategy for addressing these needs.
 - (viii) A schedule to develop policies to guide the regional boards in developing and implementing TMDLs including, but not limited to, cost estimates to develop the policies. The schedule for policy development shall include consideration of a methodology to allocate responsibility for reducing pollution among the various sources that contribute to the impairment of a water body.
- (b) The report required on or before November 30, 2002 by Section 13191 of the Water Code shall include information on the progress of SWRCB in adhering to the long-term schedule for TMDL completion described in paragraph (a). The annual reports required by Section 13191 shall also include information on the status of implementing the organizational improvements recommended by the public advisory group formed pursuant to Section 13191.
- (c) The SWRCB and the regional boards shall consider, but are not limited to, all the following criteria in setting priorities and developing schedules for the long-term strategy described in paragraph (a):
- Water body significance.
 - Degree of impairment.
 - Potential threat to human health and the environment.
 - Water quality benefits of activities ongoing in the watersheds.
 - Potential for beneficial use protection and recovery.
 - Degree of public concern.
 - Available data and information.
 - Available resources.

- Watershed priority or task schedule on the boards' Watershed Management Initiative three-year and five-year work plans.
 - Any new or existing court orders and statutory requirements.
- (d) A regional board shall consider the criteria listed in paragraph (c) when revising the Watershed Management Initiative work plans, and the state board shall incorporate the criteria into a guidance document for the regional boards regarding TMDL work plan development. Each criterion shall be given the appropriate weight warranted by the specific conditions of the impaired water in question, as determined by SWRCB or a regional board, as appropriate.
- (e) On or before January 1, 2003, SWRCB shall develop a policy to establish criteria for the listing and delisting of impaired water bodies pursuant to Section 303(d) of the federal Clean Water Act. The policy shall include a "weight of evidence" approach and shall include criteria that ensure that the data and information used for identification and listing of impaired water bodies are accurate and verifiable.
- (f) The SWRCB shall develop a master contract or contracts for work related to the development and implementation of the TMDL program and TMDLs. The master contract or contracts shall address the regional boards' need for technical expertise necessary to complete TMDLs in an effective and timely manner.