

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 3909.5

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11353

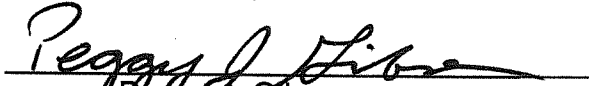
OAL Matter Number: 2016-1003-01

OAL Matter Type: Regular (S)

This action by the State Water Resources Control Board amends the Water Quality Control Plan - North Coast Region to incorporate narrative amendment language from the Policy in Support of Restoration in the North Coast Region (Restoration Policy). The Restoration Policy recognizes the importance of restoration as well as the barriers to implementing restoration projects. The policy also describes work being done by the North Coast Water Board and describes the regulatory requirements for permitting projects as well as direction on how the North Coast Water Board and its staff will continue to promote and support restoration in the future. These amendments were adopted by the North Coast Regional Water Quality Control Board on January 29, 2015 pursuant to Resolutions No. Ra-2015-0001 and R1-2015-0004 and approved by the State Water Resources Board on May 19, 2015 pursuant to Resolution No. 2015-00034.

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

Date: November 3, 2016


Peggy J. Gibson
Senior Attorney

For: Debra M. Cornez
Director

Original: Thomas Howard
Copy: Jonathan W. Warmerdam

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR 11353 (See instructions on reverse)

For use by Secretary of State only

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

NOV 03 2016
1:48 P.M.

STD. 400 (REV. 01-2013)

| | | | |
|--|---------------------------------|--|-------------------------|
| OAL FILE NUMBERS | NOTICE FILE NUMBER Z- | REGULATORY ACTION NUMBER 2016-1003-015 | EMERGENCY NUMBER |
| For use by Office of Administrative Law (OAL) only | | | |
| NOTICE | | REGULATIONS | |

2016 OCT -3 P 12:55
OFFICE OF ADMINISTRATIVE LAW

| | |
|--|---|
| AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board | AGENCY FILE NUMBER (if any) R1-2015-001 and -004; 2015-0034 |
|--|---|

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) Policy in Support of Restoration in the North Coast Region | 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 3909.5 |
| 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) <u>Gov't Code 11353</u> | |

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 Jonathan W. Warmerdam | TELEPHONE NUMBER (707) 576-2468 | FAX NUMBER (Optional) (707) 523-0135 | E-MAIL ADDRESS (Optional) Jonathan.Warmerdam@waterboard.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>Matth St. John</i> | DATE 9/1/16 |
| TYPED NAME AND TITLE OF SIGNATORY Matthias St. John, Executive Officer, North Coast Regional Water Quality Control Board | |

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 03 2016

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 1. North Coast Region

The following section 3909.5 is to be added to Title 23 of the California Code of Regulations:

§3909.5: "Policy in Support of Restoration in the North Coast Region"

On January 29, 2015, the North Coast Regional Water Quality Control Board (North Coast Water Board) adopted Resolution No. R1-2015-0004, amending Chapter 4 of the Water Quality Control Plan for the North Coast Region to incorporate narrative amendment language from the Policy in Support of Restoration in the North Coast Region (Restoration Policy). The Restoration Policy was adopted separately by the North Coast Water Board under Resolution No. R1-2015-0001 and accomplishes the following: (1) recognizes the important role that restoration plays in restoring and maintaining water quality, (2) highlights some of the barriers that inhibit implementation of restoration projects, (3) describes the work being done by the Regional Water Board and its staff to support restoration, (4) describes the regulatory requirements for permitting restoration projects, and (5) provides direction on how the Regional Water Board and its staff will continue to promote and support restoration in the future. On May 19, 2015 the State Water Resources Control Board approved the amendment under Resolution No. 2015-0034.