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JUN 29 2017

DEPARTMENT OF WATER QUALITY

State of California  
Office of Administrative Law

In re:  
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 3010

Amend sections:

Repeal sections:

NOTICE OF APPROVAL OF REGULATORY  
ACTION

Government Code Section 11353


OAL Matter Number: 2017-0516-03

OAL Matter Type: Regular (S)

On May 2, 2017, the State Water Resources Control Board (SWRCB) adopted Resolution 2017-0027, which approved "Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California - Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions" to provide a consistent regulatory approach by setting mercury limits to protect the beneficial uses associated with the consumption of fish. Additionally, the SWRCB established three new beneficial use definitions for use by the SWRCB and Regional Water Boards in designating Tribal Traditional Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB) beneficial uses to inland surface waters, enclosed bays, or estuaries in the state. The SWRCB approved one new narrative and four new numeric mercury water quality objectives to apply to inland surface waters, enclosed bays, and estuaries of the state that have any of the following beneficial use definitions: COMM, CUL, T-SUB, WILD, MAR, RARE, WARM, COLD, EST, or SAL with the exception of water with site-specific mercury objectives. These provisions will be implemented through National Pollution Discharge Elimination System permits, water quality certifications, waste discharge requirements (WDRs) and waivers of WDRs.

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

Date: June 28, 2017

  
Peggy J. Gibson  
Senior Attorney

For: Debra M. Cornez  
Director

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