

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 3949.18

Amend sections:

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11353

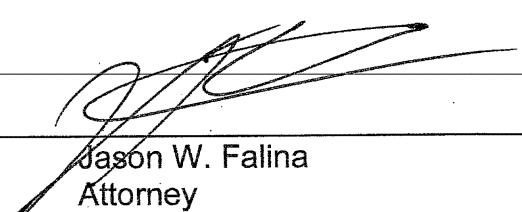
OAL Matter Number: 2026-0415-02

OAL Matter Type: Regular (S)

This action by the State Water Resources Control Board (SWRCB), conducted pursuant to Government Code section 11353, amends the Water Quality Control Plan for the Tulare Lake Basin for the Central Valley Region. On June 10, 2022, the Central Valley Regional Water Quality Control Board adopted Resolution No. R5-2022-0035 to remove the municipal and domestic supply and agricultural supply beneficial uses from groundwater within a designated horizontal and vertical portion of the southern region of the Lost Hills Oil Field. The SWRCB approved the amendment under Resolution No. 2023-0040 on November 7, 2023.

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

Date: May 28, 2026



Jason W. Falina
Attorney

For: Kenneth J. Pogue
Director

Original: Eric Oppenheimer, Executive
Director

Copy: Jennifer Fuller

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2026-0415-025	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only		OFFICE OF ADMIN. LAW 2026 APR 15 PM 2:31	
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board			AGENCY FILE NUMBER (if any)

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

MAY 28 2026

2:02 pm
[Signature]

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) Removal of Groundwater Beneficial Uses in Region of Lost Hills Oilfield	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 3949.18
AMEND
REPEAL
TITLE(S) 23

3. TYPE OF FILING
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346.1) <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"/> File & Print <input type="checkbox"/> Print Only <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input checked="" type="checkbox"/> Other (Specify) <u>Gov. Code 11353 (basin plan amendment)</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 Jennifer Fuller	TELEPHONE NUMBER (916) 464-4646	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
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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>[Signature]</i>	DATE 5 Feb 2026
TYPED NAME AND TITLE OF SIGNATORY Patrick Pulupa, Executive Officer, Central Valley Water Board	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 28 2026

Office of Administrative Law

Adopt

PER AGENCY
REQUEST
JF
5/24/26

Concise Summary of Regulatory Provisions

TITLE 23. Waters

Division 4. Regional Water Control Boards

Chapter 1. Water Quality Control Plans, Policies, and Guidelines

Article 5. Central Valley Region

The following section §3949.18 is to be added to Title 23 of the California Code of Regulations:

On June 10, 2022, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Resolution No. R5-2022-0035, amending the Water Quality Control Plan for the Tulare Lake Basin for the Central Valley Region to remove the municipal and domestic supply (MUN) and agricultural supply (AGR) beneficial uses from groundwater within a designated horizontal and vertical portion of the southern region of the Lost Hills Oil Field.

Groundwater contained within the Lower Tulare Member and the Etchegoin Formation, at a depth of approximately 600 feet to 6,600 feet below ground surface (bgs), within Sections 14, 15, 22, 23, 26 and 27 of Township 27 South, Range 21 East, Mount Diablo Meridian, in the Lost Hills Oilfield, is not suitable, or potentially suitable, for municipal or domestic supply (MUN) or agricultural supply (AGR), including, but not limited to, AGR applications for irrigation, stock watering and support of vegetation for range grazing.

This Exemption does not extend to the Upper Tulare Member, which overlies the Lower Tulare Member and the Etchegoin Formation and is separated from the Lower Tulare Member by the Mid-Tulare Shale.