

# **Fact Sheet**

# An Overview of the 2024 Review of State Water Quality Control Plans and State Policies for Water Quality Control

What is the Role of the Water Boards?

The State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (Regional Water Boards), collectively known as the California Water Boards (Water Boards) are dedicated to a single vision: abundant clean water for human uses and environmental protection to sustain California's future. The State Water Board protects the water quality of the state's waters through the development, revision, and implementation of state water quality control plans and state policies for water quality control (state plans and policies).

What are State Water Quality Control Plans and State Policies for Water Quality Control?

<u>State Water Quality Control Plans</u> are established by the State Water Board to preserve and enhance California's territorial waters to protect aquatic life and ecosystems, and human health. State Water Quality Control Plans identify and designate beneficial uses, establish water quality objectives, and include implementation programs to achieve those objectives.

<u>State Policies for Water Quality Control</u> contain general water quality principles and guidelines for long-range water resource planning, water quality objectives at key locations for planning and for water quality control activities, and other principles and guidelines the State Water Board deems essential for water quality control.

These state plans and policies address water quality issues that cross Regional Water Board boundaries or have significant statewide application. For more information about each state plan and policy, please visit the State Water Board's <u>Plans and Policies</u> webpage.

What are Federally Promulgated Water Quality Standards for California and Clean Water Act section 304(a) Recommended Criteria?

To address the problems of toxics in waterways, the United States Environmental Protection Agency (U.S. EPA) established water quality standards for priority toxic





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pollutants under U.S. EPA's 1992 National Toxic Rule and 2000 California Toxics Rule.<sup>1</sup> The U.S. EPA also publishes national recommended water quality criteria under Clean Water Act section 304(a) for approximately 150 pollutants to provide guidance for states and tribes to establish water quality standards for surface waters that protect aquatic life and human health.

### What are Periodic Reviews and Triennial Reviews?

The State Water Board conducts periodic reviews of state plans and policies, as required by the California Water Code.<sup>2</sup> It also conducts triennial reviews consistent with the Federal Clean Water Act section 303(c)(1) and (c)(2)<sup>3</sup> and the implementing regulations at 40 C.F.R. 131.20. The purpose of these reviews is to assess the adequacy of the state plans and policies, as well as applicable water quality standards, to determine if future revisions are necessary.

During these reviews, the State Water Board engages the public, interested persons, governmental agencies, and tribes to gather feedback and information to identify, inform, and prioritize future changes or additions to state plans and policies. These reviews typically result in a Staff Report and Work Plan, which includes a prioritized list of projects that helps guide the State Water Board's priorities for future rule-making actions (e.g., amendments to state plans and policies).

The periodic or triennial review is a planning and prioritization process and not a rulemaking process. Each rulemaking project that is identified as a priority in the Staff Report and Work Plan will have its own public process and must comply with specific legal requirements, including applicable rulemaking requirements of the Administrative Procedure Act.

#### How will the 2024 Review of State Plans and Policies be Conducted?

For the 2024 Review of State Water Quality Control Plans and State Policies for Water Quality Control (2024 Review of State Plans and Policies), the State Water Board is conducting its periodic and triennial reviews in a single combined proceeding. The scope of this review includes the state plans and policies listed in Appendix 1. The 2024 Review of State Plans and Policies will also include review of the federally promulgated water quality standards for California and Clean Water Act section 304(a) recommended criteria. A working draft Comparison Table of the U.S. EPA's California Toxics Rule Criteria, Water Quality Objectives Established by the Water Boards, and U.S. EPA Recommended Clean Water Act section 304(a) Criteria has been developed to assist the public in comparing various federal water quality standards and criteria and state water quality objectives, and can be found <a href="https://example.com/here">here</a>.

<sup>&</sup>lt;sup>1</sup> 40 C.F.R. §§ 131.36 and 131.38. In addition, in 1995 U.S. EPA adopted aquatic habitat and migration criteria for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. (40 C.F.R. § 131.37.)

<sup>&</sup>lt;sup>2</sup> Porter-Cologne Water Quality Control Act, Wat. Code, §§ 13143, 13170, 13170.2, subd. (b), and 13240.

<sup>&</sup>lt;sup>3</sup> Clean Water Act, 33 U.S.C. §1313(c)(1) and (c)(2).

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The purpose of the 2024 Review of State Plans and Policies is to engage with the public, interested persons, governmental agencies, and tribes to identify potential changes or additions that will help to guide the State Water Board's priorities for future amendments to the State Plans and Policies. The State Water Board will provide several opportunities to engage and provide input on these issues, including through the online survey, public comment period, and public hearing.

The State Water Board released a <u>Notice of Commencement</u> on August 15, 2024, to initiate the 2024 Review of State Plans and Policies. The key actions and current updated projected timeline for this effort are listed below:

- <u>Fall 2024 Release Online Survey and Fact Sheet</u>: The State Water Board will release an online survey and fact sheet to gather information and feedback for consideration when developing the Draft Staff Report and Work Plan.
- Spring to Summer 2025 Release Draft Staff Report, Public Comment Period, and Public Hearing: The State Water Board will release the Draft Staff Report and Work Plan for public comment and will hold a public hearing. The State Water Board will consider all comments received and will revise the Staff Report and Work Plan, as appropriate.
- <u>Early 2026 State Water Board Consideration of Adoption</u>: The State Water Board will consider adoption of the Final Staff Report and Work Plan at a public meeting.
- Early 2026 Transmittal to U.S. EPA: Following adoption, the State Water Board will transmit the 2024 Review of State Plans and Policies to the U.S. EPA.

# How Can I Stay Involved?

The State Water Board welcomes and encourages participation in the 2024 Review of State Plans and Policies, including through the online survey, public comment period, public hearing, and consideration of adoption meeting.

Any person desiring to receive future notices announcing relevant engagement opportunities must sign up for the email distribution list by accessing the <a href="Email List Subscription Form"><u>Email List Subscription Form</u></a> website. To subscribe, expand the "Water Quality" tab, and check the box for 'Review of State Plans and Policies."

#### Additional Resources

For more information about the 2024 Review of State Plans and Policies, please visit the 2024 Review of State Plans and Policies webpage. To learn more about the many opportunities to participate in decisions and activities that affect the state's water resources, please see the Citizens Guide to working with the California Water Boards.





Questions may be directed to Beverly Scharnhorst at <a href="mailto:Beverly.Scharnhorst@Waterboards.ca.gov">Beverly.Scharnhorst@Waterboards.ca.gov</a> or (916) 323-0874, or Kat Faick at <a href="mailto:Kat.Faick@Waterboards.ca.gov">Kat.Faick@Waterboards.ca.gov</a> or (916) 445-2317.



## Appendix 1

#### State Water Quality Control Plans:

- Bay-Delta Plan
- California Ocean Plan
- California Thermal Plan
- Enclosed Bays and Estuaries Plan
- Components of the Inland Surface Waters, Enclosed Bays, and Estuaries Plan
  - o Part 1: Trash Provisions
  - o Part 2: Tribal Subsistence Beneficial Uses and Mercury Provisions
  - Part 3: Bacteria Provisions and Variance Policy
  - State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State
  - Aquatic Toxicity Provisions

### State Policies for Water Quality Control:

- Antidegradation Policy
- Aquatic Toxicity Provisions
- Cannabis Policy
- Compliance Schedule Policy
- Consolidated Cleanup Plan
- Enclosed Bays and Estuaries Policy
- Guidance for Toxic Hot Spot Policy
- Impaired Waters Policy
- Instream Flows Policy
- Investigation and Cleanup and Abatement of Dischargers under Water Code Section 13304
- Listing Policy
- Low-Threat Underground Storage Tank Closure Policy
- Municipal Solid Waste Policy
- Nonpoint Source Pollution Enforcement Policy
- Once-Through Cooling Water Policy for Coastal and Estuarine Waters
- Once-Through Cooling Water Policy for Inland Waters
- Pollutant Policy Document for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary
- Recycled Water Policy
- Sources of Drinking Water Policy
- State Implementation Policy
- State Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State
- Supplemental Environmental Projects Policy
- Water Reclamation Policy





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