

Item # 5 Hearing for the Review of State Plans and Policies

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Division of Water Quality, August 18, 2026

- The Purpose of the Review is to:
 - Assess the adequacy of State Plans and Policies
 - Assess the adequacy of applicable statewide Water Quality Standards
 - Identify a list of current projects and projects for future consideration to help guide the State Water Board's priorities for future rulemaking actions
- The Purpose of this Item is to:
 - Share information and hear input on the Review of State Plans and Policies

Presentation Topics

1. Universe of State Water Quality Control Plans and Policies
2. Review Process
3. Current Projects and Projects for Future Consideration
4. 304(a) Criteria Analysis

State Water Quality Control Plans

- Function:
 - Identify and designate beneficial uses
 - Include water quality objectives
 - Include programs of implementation
- There are five State Water Quality Control Plans:
 - Bay-Delta Plan
 - California Ocean Plan
 - Enclosed Bays and Estuaries Plan
 - Inland Surface Waters, Enclosed Bays and Estuaries Plan (ISWEBE Plan)
 - Thermal Plan
- There are ten Regional Water Quality Control Plans (Basin Plans), and the Regional Water Boards conduct their own reviews of their respective plans.

Statewide Policies for Water Quality Control

- Function:
 - Contain general water quality principles and guidelines for long-range water resource planning
 - May include water quality objectives and key locations for planning and for water quality control activities
- There are 28 Current Statewide Policies

Policies for Water Quality Control

- Antidegradation Policy
- Cannabis Cultivation Policy
- Compliance Schedule Policy
- Consolidated Cleanup Plan
- Dredge or Fill Procedures
- Enclosed Bays and Estuaries Policy
- Guidance for Toxic Hot Spots Policy
- Impaired Waters Policy
- Investigation and Cleanup and Abatement of Dischargers under Water Code 13304
- Listing Policy
- Municipal Solid Waste Policy
- Nonpoint Source Implementation and Enforcement Policy
- North Coast Instream Flow Policy
- Once-Through Cooling Policy for Coastal and Estuarine Waters
- Once-Through Cooling Policy for Inland Waters
- Onsite Wastewater Treatment System Policy
- Pollutant Policy Document for the Bay-Delta
- Recycled Water Policy
- Shredder Waste Policy
- Sources of Drinking Water Policy
- State Implementation Policy
- State Policy for Water Quality Control
- State Policy for Water Quality Control: Toxicity Provisions
- Supplemental Environmental Projects Policy
- UST Low-Threat Closure Policy
- UST Pilot Program Policy
- Water Reclamation Policy
- Water Quality Enforcement Policy

Review Process

- The Clean Water Act requires triennial reviews of water quality standards, which are contained in:
 - Water Quality Control Plans
 - Policies for Water Quality Control
 - Federal regulations
- The Porter-Cologne Act requires periodic reviews of State Policies for Water Quality Control.

Review Process

- This review includes analyses of:
 - State Water Quality Control Plans
 - State Policies for Water Quality Control
 - Water Quality Standards for California
 - Clean Water Act Section 304(a) Recommended Criteria
- The review will aid the State Water Board's work planning and prioritization processes.
- The review is *not* a rulemaking process.

Review Process

- 2024 Public Survey
- Review of Survey Responses by State Water Board Program Staff
- Internal Appraisal of Plans, Policies, Water Quality Standards, and 304(a) Recommended Criteria
- Identification of Projects
- Draft Staff Report and Work Plan
- Welcome public input and comment

Projects

- **Projects** are State Water Board proceedings that are focused on specific plans, policies, or standards that:
 - Are generally expected to result in a rulemaking
 - May inform a potential future rulemaking project
 - May implement an existing plan or policy
 - May include new or revised water quality standards

Projects

- **Current Projects** are projects that are already substantially underway and that the State Water Board has directed staff to continue to work on.
- **Projects for Future Consideration** are projects that are not substantially underway.
- **11** current projects and **66** projects for future consideration were identified.

Project Identification

- Factors:
 - Protection and restoration of beneficial uses
 - Public input, including feedback from survey
 - Feedback from Tribes
 - Local, state, and federal agency information
 - Agency priorities
 - Potential to align plans and policies and provide consistency or coordination in more than one region
 - Updated or available scientific or technical information
 - Compliance with legal requirements
 - Complexity, urgency, and anticipated completion time
 - Staff resource capacity
 - Budgetary constraints

Project Identification

- Not every plan, policy, or standard requires revision.
- Not every project/topic requires adoption of a new plan, policy, or standard.
- If no one, including staff, provided any information supporting potential revision or potential adoption of a plan, policy, or water quality standard, no further review of the plan, policy, or water quality standard was conducted.

Current Projects

- Bay-Delta Plan (3 projects)
 - Update the Bay-Delta Plan for the reasonable protection of fish and wildlife.
 - Implement the Bay-Delta Plan's lower San Joaquin River flow and southern Delta salinity objectives through regulations.
 - Evaluate whether to incorporate the Tuolumne River Voluntary Agreement as an element of the Bay-Delta Plan.
- Inland Surface Waters, Enclosed Bays, and Estuaries Plan
 - Establish harmful algal blooms and cyanotoxins water quality objectives and a program of implementation.
- Ocean Plan (2 projects)
 - Improve seawater desalination provisions.
 - Address impacts of anthropogenic nutrients on coastal ocean acidification, hypoxia, and harmful algal blooms.

Current Projects

- Urban and Industrial Stormwater Infiltration Policy
 - Develop a new policy to regulate urban and industrial stormwater infiltration systems.
- Water Rights Enforcement Policy
 - Develop a new policy with a framework for strong, fair, transparent, and efficient enforcement of the state's water rights priority system.
- Policy to Support Development of Objectives for Copper and Zinc
 - Establish a new policy with protocols, procedures, and a plan of implementation for the development of site-specific and project-specific objectives for copper and zinc in low salinity waters.

Current Projects

- Recycled Water Policy
 - Revise the recycled water goals and constituents of emerging concern monitoring requirements.
- Tribal Beneficial Use Designations and Supporting Efforts
 - Assist the Water Boards in adding Tribal Tradition and Culture (CUL) and Tribal Subsistence Fishing (T-SUB) definitions and designating waters with the uses.

Projects for Future Consideration

- 66 projects
 - 34 associated with plans, 32 with policies
 - Managed by different programs, divisions, and offices
- Unlikely to be formally initiated in the next three years.
- The list of projects is not ordered by priority.
- The list will be considered as part of future priority setting exercises by executive managers and the State Water Board, with public input.
- The list will also be reconsidered in future triennial and periodic reviews.
- The list of Projects for Future Consideration can be viewed at:
https://waterbords.ca.gov/plans_policies/docs/draft-rspp-report.pdf

Review of 304(a) Recommended Criteria

- 304(a) recommended criteria are national recommended levels for determining what water quality is safe for humans, aquatic life, and aquatic-dependent wildlife.
- States may adopt 304(a) recommended criteria as objectives or use them as guidance.
- For the Review, staff did an analysis of the presence or discharge of parameters with a 304(a) recommended criterion to compare it to the currently effective statewide standard to identify parameters that are potentially interfering with beneficial uses.

Review of 304(a) Recommended Criteria

- Staff compiled water quality criteria for:
 - 162 freshwater parameters
 - 140 saline water parameters
- Staff identified parameters with a more stringent 304(a) criterion than the current statewide standard, or where there was no statewide standard.
- Presence Analysis
 - Ambient water quality data were analyzed to determine whether additional water bodies would be considered impaired if the more stringent 304(a) criterion was used.
- Discharge Analysis
 - When there were no ambient data available for a parameter, staff used discharge data to evaluate whether current discharges of a parameter would exceed effluent limitations derived from the more stringent 304(a) criteria for that parameter.

Results of 304(a) Analysis - Freshwater

Parameter	Beneficial Use
1,3-Dichloropropene	MUN
2,3,7,8-TCDD (Dioxin)	MUN, COMM
2,6-Dichlorophenol	MUN
Arsenic	MUN, COMM
Butylbenzyl Phthalate	MUN, COMM
Hexachlorobenzene	MUN
Polychlorinated Biphenyls (PCBs)	MUN, COMM
Solids, dissolved & salinity	MUN

- These are the parameters most likely to be included in a proposed project for future consideration to add/revise water quality standards based on 304(a) criteria for freshwaters.
- Human heath was prioritized.
- MUN – Municipal and Domestic Water Supply
- COMM – Sport and Commercial Fishing

Results of 304(a) Analysis – Ocean Waters

Parameter	Beneficial Use
Aldrin	COMM
Dieldrin	COMM
Hexachlorobenzene	COMM

- These are the parameters most likely to be included in a proposed project for future consideration to add/revise water quality standards based on 304(a) criteria for ocean waters.
- Human health was prioritized.
- COMM - Sport and Commercial Fishing

Revisions to 304(a) Criteria Analysis

- As part of the continued review process, staff identified inconsistencies with the excel data and made changes to the staff report once the inconsistencies were addressed in the data.
- The corrected results are in the Revised Draft Staff Report and Work Plan, posted on August 7th.

Project Schedule

Project Milestone	Time Period
Public Comment Period	July 3 to September 21
State Water Board Public Hearing	August 18, 2026
Evening Public Staff Workshop	September 10, 2026 6:30 PM
Responses to Comments and Proposed Final Staff Report and Work Plan	Early 2027
State Water Board Consideration of Adoption Meeting	Spring 2027

Questions?

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- Inland Standards Unit Inbox
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- To submit written comments, please see the instructions in the Revised Notice of Opportunity to Comment:
 - https://waterboards.ca.gov/board_info/calendar/docs/2026/aug/revnotice-2026triennialreview.pdf