

**State of California  
Office of Administrative Law**

**In re:**  
**State Water Resources Control Board**

**Regulatory Action:**

**Title 23, California Code of Regulations**

**Adopt sections: 3919.22**

**Amend sections:**

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11353**

**OAL Matter Number: 2021-1001-02**

**OAL Matter Type: Regular (S)**

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On February 10, 2021, the San Francisco Bay Regional Water Quality Control Board adopted Resolution R2-2021-0002, amending the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) by establishing a total maximum daily load (TMDL) for bacteria at the beaches in Pillar Point Harbor and Venice Beach on the San Mateo Coast. The State Water Resources Control Board approved the Basin Plan amendment in Resolution No. 2021-0026 on July 20, 2021.

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

Date: November 15, 2021



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Mark Storm  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: Eileen Sobeck, Executive  
Director

Copy: Barbara Baginska

REGULAR

Instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2021-1001-025	

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW  
2021 OCT 1 AM 9:11

ENDORSED - FILED

In the office of the Secretary of State of the State of California

NOV 12 2021

ENDORSED - FILED

In the office of the Secretary of State of the State of California

NOV 15 2021

received at 1:31 pm

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board	AGENCY FILE NUMBER (if any)
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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 Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE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) Bacteria TMDL for the Beaches in Pillar Point Harbor and Venice Beach	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 3919.22
AMEND
REPEAL
TITLE(S) 23

3. TYPE OF FILING
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) <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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <u>Gov't Code 11353</u> <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

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)
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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 Barbara Baginska	TELEPHONE NUMBER 510-622-2474	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) bbaginska@waterboards.ca.gov
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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 	DATE 8/31/21
TYPED NAME AND TITLE OF SIGNATORY Michael Montgomery, Executive Officer - San Francisco Bay Regional Water Board	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 15 2021

Office of Administrative Law

23 CCR § 3919.22

**§ 3919.22. Total Maximum Daily Load for Bacteria at the Beaches in Pillar Point Harbor and Venice Beach**

On February 10, 2021, the San Francisco Bay Regional Water Quality Control Board adopted Resolution No. R2-2021-0002, amending the Water Quality Control Plan for the San Francisco Bay Region. The State Water Resources Control Board approved the amendment under Resolution No. 2021-0026 on July 20, 2021. The amendment establishes a total maximum daily load (TMDL) to reduce bacteria at the beaches in Pillar Point Harbor and Venice Beach on the San Mateo coast and includes the following:

1. Bacteria TMDL with numeric targets to protect water contact recreational uses at the beaches in Pillar Point Harbor and Venice Beach,
2. Load and wasteload allocations for all controllable sources of bacteria to the beaches, and
3. A program of implementation with actions to achieve the TMDL, a time schedule and a monitoring program to evaluate progress in meeting the numeric targets and determine compliance.

The implementation relies on regulatory programs and actions to control bacteria discharges from controllable sources and employs a phased approach to reduce bacteria loads from sanitary sewer collection systems, vessels and amenities in Pillar Point Harbor, and municipal stormwater runoff. An implementation target of 15 years is established for achieving the TMDL.