Presented below are water quality standards that are in effect for Clean Water Act purposes.

EPA is posting these standards as a convenience to users and has made a reasonable effort to assure their accuracy. Additionally, EPA has made a reasonable effort to identify parts of the standards that are not approved, disapproved, or are otherwise not in effect for Clean Water Act purposes.

TEXT OF APPROVED WATER QUALITY STANDARDS

Inland Surface Waters, Enclosed Bays and Estuaries Plan (Text)

III. WATER QUALITY OBJECTIVES

E. Bacteria

1. Applicability

Chapter III.E.2 establishes water quality objectives for reasonable protection of people that recreate within all surface waters, enclosed bays, and estuaries of the state that have the water contact recreation beneficial use (REC-1).

2. Bacteria Water Quality Objectives

Chapter III.E.2 contains two BACTERIA WATER QUALITY OBJECTIVES[2] applicable to waters with the REC-1 beneficial use, depending on the salinity level, as discussed below (see Table 1).

E. coli

The bacteria water quality objective for all waters where the salinity is equal to or less than 1 part per thousand (ppth) 95 percent or more of the time during the CALENDAR YEAR is: a six-week rolling GEOMETRIC MEAN of *Escherichia coli* (*E. coli*) not to exceed 100 colony forming units (cfu) per 100 milliliters (mL), calculated weekly, and a STATISTICAL THRESHOLD VALUE (STV) of 320 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a CALENDAR MONTH, calculated in a static manner.

United States Environmental Protection Agency (U.S. EPA) recommends using U.S. EPA Method 1603 or other equivalent method to measure culturable *E. coli.*

Enterococci

The bacteria water quality objective for all waters where the salinity is greater than 1 ppth more than 5 percent of the time during the CALENDAR YEAR is: a six-week rolling GEOMETRIC MEAN of enterococci not to exceed 30 cfu/100 mL, calculated weekly, with a STV of 110 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a CALENDAR MONTH, calculated in a static manner.

U.S. EPA recommends using U.S. EPA Method 1600 or other equivalent method to measure culturable enterococci.

IV. IMPLEMENTATION

E. Bacteria

1. Applicability of Bacteria Water Quality Objectives

The BACTERIA WATER QUALITY OBJECTIVES shall be implemented, where applicable, through National Pollutant Discharge Elimination System (NPDES) permits issued pursuant to section 402 of the Clean Water Act, water quality certifications issued pursuant to section 401 of the Clean Water Act, waste discharge requirements (WDRs), and waivers of WDRs. However, where a permit, WDR, or waiver of WDR includes an effluent limitation or discharge requirement derived from a water quality objective, guideline, or other requirement to control bacteria that is a more stringent value than the applicable BACTERIA WATER QUALITY OBJECTIVE, the BACTERIA WATER
QUALITY OBJECTIVE shall not be implemented in the permit, WDR, or waiver of WDR.

The GEOMETRIC MEAN and the STV contained in the applicable BACTERIA WATER QUALITY OBJECTIVES shall be applied in all circumstances, except in the context of a TMDL or a BASIN PLAN amendment. In the context of a TMDL or a BASIN PLAN amendment, Regional Water Boards may implement a reference system/antidegradation approach or natural sources exclusion

approach in accordance with Chapter IV.E.2. A TMDL that implements either approach is subject to U.S. EPA's approval authority under Clean Water Act section 303(d) and such a TMDL or a BASIN PLAN amendment that implements either approach may be subject to U.S. EPA's approval authority under Clean Water Act section 303(c).

2. Natural Sources of Bacteria

a. Applicability

The implementation provisions contained in Chapter IV.E.2 apply to municipal storm water discharges regulated pursuant to Clean Water Act section 402(p) and non- point source discharges except on-site wastewater treatment system discharges.

These implementation provisions do not apply to NPDES discharges other than municipal storm water discharges.

b. Reference System/Antidegradation Approach and Natural Sources Exclusion Approach

In the context of a TMDL or a BASIN PLAN amendment developed to implement the BACTERIA WATER QUALITY OBJECTIVES, a reference system/antidegradation approach may be utilized to ensure: (1) bacteriological water quality is at least as good as that of an applicable REFERENCE SYSTEM, and (2) no degradation of existing water quality is allowed when the existing water quality is better than the REFERENCE SYSTEM. In such circumstances, the TMDL or BASIN PLAN amendment may include a certain frequency of exceedance of the applicable BACTERIA WATER QUALITY OBJECTIVES based on the observed exceedance frequency in the applicable REFERENCE SYSTEM or the targeted water body, whichever is less.

In the context of a TMDL or a BASIN PLAN amendment developed to implement the BACTERIA WATER QUALITY OBJECTIVES, a natural source exclusion approach may be utilized after all anthropogenic sources of bacteria are identified, quantified, and controlled. In such circumstances, the TMDL or BASIN PLAN amendment may include a certain frequency of exceedance of the applicable BACTERIA WATER QUALITY OBJECTIVES based on the observed exceedance frequency of the identified and quantified natural sources of bacteria of the targeted water body.

3. High Flow Suspension of the Water Contact Recreation (REC-1) Beneficial Use

A WATER BOARD may adopt a high flow suspension of the water contact recreation (REC-1) beneficial use that reflects water conditions considered unsafe for the REC-1 beneficial use due to high water flow or velocity. A rainfall measure, flow measure, or other requirements shall be established by the WATER BOARD to describe specific conditions during which the high flow suspension would apply. To adopt a high flow suspension of the REC-1 beneficial use, the WATER BOARD must conduct a USE ATTAINABILITY ANALYSIS**.** A WATER BOARD's adoption of a high flow suspension of the REC-1 beneficial use is subject to review and approval by the State Water Board (if the adopting WATER BOARD is a Regional Water Board) and U.S. EPA.

If a high flow suspension of the REC-1 beneficial use is adopted, the BACTERIA WATER QUALITY OBJECTIVE for the REC-1 beneficial use does not apply during the period of time that the REC-1 use is suspended; however, during all other times outside of the period of the high flow suspension, the BACTERIA WATER QUALITY OBJECTIVE for the REC-1 use applies. All other applicable public health-related beneficial uses need to be protected during the period of the high flow suspension.

4. Seasonal Suspension of the Water Contact Recreation (REC-1) Beneficial Use

A WATER BOARD may adopt a seasonal suspension of the water contact recreation (REC-1) beneficial use to reflect water conditions considered inapplicable or unsafe for the REC-1 beneficial use due to low water flows, low water temperatures, or conditions that freeze water. A flow measure, water temperature measure, or other condition(s) shall be established by the WATER BOARD to describe specific conditions during which the seasonal suspension would apply. To

adopt a seasonal suspension of the REC-1 beneficial use, the WATER BOARD must conduct a USE ATTAINABILITY ANALYSIS**.** A WATER BOARD's adoption of a seasonal suspension of the REC-1 beneficial use is subject to review and approval by the State Water Board (if the adopting WATER BOARD is a Regional Water Board) and U.S. EPA.

If a seasonal suspension of the REC-1 beneficial use is adopted, the BACTERIA WATER QUALITY OBJECTIVE for the REC-1 beneficial use does not apply during the period of the seasonal suspension; however, during all other times outside of the period of the seasonal suspension, the BACTERIA WATER QUALITY OBJECTIVE for the REC-1 use applies. All other applicable public health-related beneficial uses need to be protected during the period of the seasonal suspension.

5. Limited Water Contact Recreation (LREC-1) Designation

A WATER BOARD may designate a water body or waterbody segment(s) with the Limited Water Contact Recreation (LREC-1) beneficial use. A WATER BOARD must conduct a USE ATTAINABILITY ANALYSIS if application of the LREC-1 beneficial use requires a less stringent water quality objective for bacteria than the previously applicable BACTERIA WATER QUALITY OBJECTIVE for the REC-1 use. A WATER BOARD's designation of the LREC-1 beneficial use is subject to review and approval by the State Water Board (if the adopting WATER BOARD is a Regional Water Board) and U.S. EPA.

F. WATER QUALITY STANDARDS VARIANCES

Federal regulations establish an explicit regulatory framework for the adoption of a water quality standards variance (WQS VARIANCE) that states may use to implement adaptive management approaches to improve water quality (40 C.F.R. § 131.14 (herein referred to as the federal rule)). A WATER BOARD is not required to adopt specific authorizing provisions into state law before establishing a WQS VARIANCE consistent with the federal rule. The following explains the existing requirements that a WATER BOARD must follow to establish a WQS VARIANCE consistent with the federal rule.

Under the federal rule, a WQS VARIANCE may be adopted for one or more NPDES dischargers or for a water body or waterbody segment, but the WQS VARIANCE only applies to the discharger(s) or the water body or waterbody segment specified in the WQS VARIANCE.

The federal rule specifies that any WQS VARIANCE is not effective unless and until it is approved by U.S. EPA. The federal rule also specifies that a WQS VARIANCE is subject to the public participation requirements at 40 Code of Federal Regulations section 131.20(b), which requires that one or more public hearings be held in accordance with state law and U.S. EPA's public participation regulation (40 C.F.R. part 25).

Where a discharger-specific WQS VARIANCE is established by a single permit, including an individual permit or a general permit, or other order, the federal rule's public participation requirements must be satisfied, and the provisions in the permit or other order that rely upon the discharger-specific WQS VARIANCE must be conditioned upon U.S. EPA approval.

Because the establishment of a discharger-specific WQS VARIANCE in such a permit or other order is not the establishment or revision of a rule, the permit action need not be accompanied by a rulemaking action. The applicable hearing requirement for any other WQS VARIANCE would be subject to the hearing requirement and other procedures applicable to revising a water quality control plan, which are consistent with the federal rule's public participation requirements.