

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 89-95

CONSIDERATION OF APPROVAL OF AN AMENDMENT TO THE WATER
QUALITY CONTROL PLAN, SACRAMENTO RIVER BASIN (5A)
REGARDING PROHIBITION OF WASTE DISCHARGE FROM INDIVIDUAL
DISPOSAL SYSTEMS IN THE CHICO URBAN AREA, BUTTE COUNTY

WHEREAS:

1. California Water Code Section 13245 provides that any revision to a Water Quality Control Plan shall not become effective unless approved by the State Water Resources Control Board (State Board).
2. The Central Valley Regional Water Quality Control Board, Central Valley Region (Central Valley Regional Board) properly noticed and held a public hearing on October 27, 1988 in Chico, California regarding a proposed prohibition on the discharge of wastes from individual disposal systems (septic systems) in the Chico Urban Area.
3. On October 27, 1988, the Central Valley Regional Board adopted Order No. 88-177 (Attachment 1) imposing the prohibition for the Chico Urban Area.
4. The prohibition is an amendment to the Water Quality Control Plan, Sacramento River Basin (Basin Plan) and provides for exemptions under specific circumstances.
5. The action by the Central Valley Regional Board was taken after a study completed in 1984 by the Department of Water Resources and a subsequent study completed in 1985 by Aqua Resources Incorporated identified several areas of nitrate contamination in exceedance of the State Department of Health Services maximum contaminant level of 45 milligrams per liter (mg/l).
6. In adopting a prohibition of discharges from individual disposal systems, the Central Valley Regional Board has fulfilled the requirements of Water Code Sections 13280 through 13284.
7. The City of Chico and Butte County adopted a Nitrate Action Plan on March 5, 1985 in order to address the nitrate contamination problem. Only portions of this plan have been implemented with the notable exception of a time schedule for the elimination of septic systems.

8. The Central Valley Regional Board found that adequate protection of water quality and beneficial uses cannot be attained by continued use of individual disposal systems, even with the assurance of an authorized public agency that proper design and management will be maintained, as provided in Water Code Section 13282.
9. In considering approval of the amendment on March 16, 1989, the State Board directed that a review committee be formed to determine if sufficient evidence existed to support the Central Valley Regional Board's adoption of a septic system prohibition.
10. A review committee was formed and its conclusions supported the Central Valley Regional Board's contention that septic systems are the major factor degrading the ground waters in the Chico Urban Area.
11. The committee also identified agricultural fertilizers as a source of nitrate contamination in the Chico Urban Area.
12. The replacement of septic tank systems by conventional sewer systems, coupled with programs to eliminate excessive use of agricultural fertilizers, are reasonable methods to alleviate the degradation of the ground water resources in the Chico Urban Area.
13. The prohibition Order contains compliance dates; the first of which prohibiting installation of septic systems after January 1, 1989 has past and must be revised.

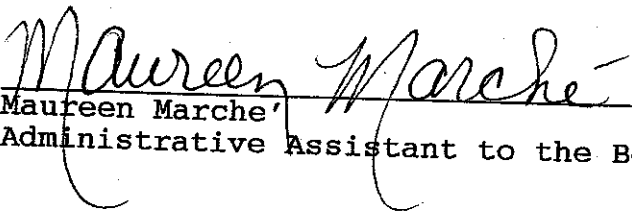
THEREFORE BE IT RESOLVED:

1. That the State Board approves the Basin Plan amendment containing a prohibition on discharge of wastes from individual disposal systems in the Chico Urban Area, as defined in the Central Valley Regional Board Order No.88-177 adopted on October 27, 1988. However, the State Board does not approve the compliance date of January 1, 1989 contained in "Ordered" No. 1 of Page 3, and directs the Central Valley Regional Board to revise and resubmit a compliance date regarding prohibition of installation of new septic systems in the Chico Urban Area. The Central Valley Regional Board may also elect to also revise and extend the compliance date for the prohibition on existing systems as contained in "Ordered" No. 2 of Page 3.
2. That the State Board directs the Central Valley Regional Board and the commercial agriculturists in the Chico Urban Area to develop, in cooperation with the University of California Cooperative Extension, a program to minimize any

excessive use of nitrogen fertilizers. The program elements may include, but are not limited to public education, monitoring, and on-site consultation.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on October 19, 1989.


Maureen Marche
Administrative Assistant to the Board