

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 95-44 .

APPROVAL OF A REVISED
WATER QUALITY CONTROL PLAN
FOR THE SAN FRANCISCO BAY BASIN

WHEREAS:

1. The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) was revised by the Regional Water Quality Control Board, San Francisco Bay Region (SFBRWQCB) in 1986 and 1987 and approved by the State Water Resources Control Board (SWRCB) in 1987. Subsequently, amendments to the Basin Plan have been adopted by the SFBRWQCB and approved by the SWRCB.
2. Section 303(c) of the Federal Clean Water Act requires that water quality standards be reviewed and revised, if appropriate, at least every three years, and Section 13240 of the California Water Code provides that Basin Plans be periodically reviewed and may be revised.
3. On June 21, 1995, the SFBRWQCB adopted Resolution No. 95-076 (Attached) revising the Basin Plan.
4. The revised Basin Plan incorporates previously adopted and approved amendments; updates beneficial uses; adds a water quality objective for bioaccumulation; modifies water quality objectives for bacteria, biostimulatory substances, sediment, toxicity, and turbidity; modifies the implementation plan to emphasize a watershed management approach; and adds sections regarding dredging and disposal of dredged sediment, wetlands protection and management, and wetland planning.
5. The revised Basin Plan also adds an exception provision to the prohibitions of discharge for ground water cleanup discharges for specific portions of the San Francisco Bay area, including San Francisco Bay south of the Dumbarton Bridge; however, SWRCB Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Policy) requires the elimination of wastewater discharges to San Francisco Bay south of the Dumbarton Bridge.
6. The revised Basin Plan does not contain numeric water quality objectives for toxic pollutants for the south San Francisco Bay. While SWRCB Order No. WQ 90-5 directed the SFBRWQCB to adopt numeric water quality objectives for toxic pollutants for the south San Francisco Bay, the need for which was obviated by SWRCB adoption of the California Enclosed Bays and Estuaries Plan (Bays and Estuaries Plan) in 1991. Subsequent to court invalidation of the Bays and Estuaries Plan, SWRCB has commenced a new effort to adopt

statewide plans containing numeric objectives for toxic pollutants. Additional SFBRWQCB action would be duplicative of the SWRCB effort.

7. The SFBRWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (Public Resources Code 21000 et seq.).
8. The SWRCB will work with the Department of Fish and Game (DFG) to ensure that threatened or endangered species are protected, pursuant to Fish and Game Code Section 2055.
9. The SFBRWQCB Resolution No. 95-076 was adopted in accordance with State laws and regulations.
10. Basin Plan amendments do not become effective until approved by the SWRCB and until regulatory provisions are approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves, with the exception provided below, the revised Basin Plan adopted by the SFBRWQCB under Resolution No. 95-076 with the understanding that:
 - a. The SFBRWQCB shall continue to implement provisions of existing State and Federal laws regarding the discharge of toxic pollutants. In particular, the SFBRWQCB shall issue National Pollutant Discharge Elimination System permits in compliance with the Porter-Cologne Water Quality Control Act and applicable State and Federal regulations, including, but not limited to, 40 CFR, Section 122.44(d).
 - b. Within three years after DFG notifies the SFBRWQCB that specific water bodies support threatened or endangered species and that scientific evidence indicates that certain existing water quality objectives for these water bodies do not adequately protect such species, the SFBRWQCB shall determine, in consultation with DFG, whether these objectives are adequately protective. In cases where such existing objectives do not provide adequate protection for threatened and endangered species, the SFBRWQCB shall develop and adopt adequately protective site-specific objectives for these constituents.

2. Disapproves the exception to the prohibition of discharge for discharges of treated ground water from ground water cleanup operations to the San Francisco Bay south of the Dumbarton Bridge (Chapter IV Implementation Plan, Table IV-1, item 2).
3. Authorizes the SWRCB staff to submit the approved revised Basin Plan to the U.S. Environmental Protection Agency and regulatory provisions to OAL for approval.

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 July 20, 1995.



Maureen Marché
Administrative Assistant to the Board