

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0036**

APPROVING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS ESTABLISHING SITE SPECIFIC OBJECTIVES FOR CHLOROFORM, CHLORODIBROMOMETHANE, AND DICHLOROBROMOMETHANE, FOR NEW ALAMO AND ULATIS CREEKS, SOLANO COUNTY AND PERMIT IMPLEMENTATION PROVISIONS

WHEREAS:

1. On May 27, 2010 the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted [Resolution R5-2010-0047](#) amending the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan) to establish site-specific water quality objectives for chloroform, chlorodibromomethane and dichlorobromomethane to provide appropriate levels of human health protection based on past, present, and reasonably-foreseeable future drinking water use in New Alamo and Ulatis Creeks, and to maintain current levels of Municipal and Domestic Supply Beneficial Use (MUN) protection for trihalomethanes in water bodies downstream of these segments. The amendments also include permit implementation provisions for point source dischargers to Old Alamo Creek to assure the protection of MUN in New Alamo and Ulatis Creeks.
2. The Central Valley Water Board found that the analysis contained in the Final Project Report, including the California Environmental Quality Act (CEQA) Checklist, the staff report, and the responses to comments complies with the requirements of the State Water Resources Control Board's (State Water Board's) certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq. The State Water Board has reviewed the Substitute Environmental Documentation and concurs with the Central Valley Water Board's findings.
3. The Central Valley Water Board found the Basin Plan amendments would not have a significant adverse effect on the environment and are consistent with the Statement of Policy with Respect to Maintaining High Quality of Waters in California (State Water Board Resolution No. 68-16) and the federal Antidegradation Policy (40 CFR part 131.12).
4. The scientific basis for the amendments was subjected to an independent, external peer review, pursuant to the requirements of Health and Safety Code section 57004. Central Valley Water Board staff revised the Basin Plan amendments in response to the comments provided by the reviewers, or provided a written response that explained the basis for not incorporating other proposed changes. The peer reviewers' responses confirmed that the rulemaking portions of the amendments and implementation provisions are based on sound scientific knowledge, methods, and practices.
5. The State Water Resources Control Board (State Water Board) finds that, in amending the Basin Plan, the Central Valley Water Board complied with the requirements set forth in sections 13240, et seq. of the California Water Code. The State Water Board also finds that the regulatory action meets the "necessity" standard of the Administrative Procedures Act, Government Code section 11353, Subdivision (b).

6. The State Water Board finds that the Basin Plan amendments are in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Board may revise Basin Plans.
7. The Basin Plan amendments do not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The amendments must also be approved by the U.S. Environmental Protection Agency (U.S. EPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendments to the Basin Plan as adopted under Central Valley Water Board's Resolution No. R5-2010-0047.
2. Authorizes the Executive Director or designee to submit the amendments adopted under Central Valley Water Board's Resolution No. R5-2010-0047 to OAL and U.S. EPA for approval.

CERTIFICATION

The undersigned, Clerk 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 August 16, 2011.

AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board