

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 95-86

APPROVAL OF A REVISED WATER
QUALITY CONTROL PLAN FOR THE TULARE LAKE BASIN

WHEREAS:

1. The California Regional Water Quality Control Board, Central Valley Region (CVRWQCB), adopted the Water Quality Control Plan for the Tulare Lake Basin (Basin Plan) on August 17, 1995, under Resolution No. 95-208.
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 (Triennial Review); and Section 13240 of the California Water Code provides that Basin Plans be periodically reviewed and may be revised.
3. In November 1993 and July 1995, the CVRWQCB released drafts of the Basin Plan for public review.
4. The CVRWQCB held a public workshop on December 2, 1993 and a public hearing on August 17, 1995 for the purpose of receiving testimony on the proposed amendments to the Basin Plan.
5. On August 17, 1995, the CVRWQCB adopted the revised Basin Plan under CVRWQCB Resolution No. 95-208 (Attachment).
6. The CVRWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with Public Resources Code Section 21000 et seq. and other State laws and regulations.
7. The State Water Resources Control Board (SWRCB) will work with the Department of Fish and Game (DFG) to ensure that threatened and endangered species are protected, pursuant to Fish and Game Code Section 2055.
8. Any action regarding discharges from a valley-wide drain must be consistent with applicable legal requirements and memoranda of agreement including those contained in Chapter 12.2 of Division 7 of the Water Code (commencing with Section 13953) and those related to the Monterey Bay National Marine Sanctuary.
9. Basin Plan revisions and 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 the revised Basin Plan adopted by CVRWQCB Resolution No. 95-208 with the understanding that:
 - a. The CVRWQCB shall continue to implement provisions of existing State and Federal laws regarding the discharge of toxic pollutants. In particular, the CVRWQCB 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 CVRWQCB 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 CVRWQCB 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 CVRWQCB shall develop and adopt adequately protective site-specific objectives for these constituents.
2. Authorizes the SWRCB staff to submit the approved revised Basin Plan to the U.S. Environmental Protection Agency and regulatory provisions to the 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 November 16, 1995.



Maureen Marche
Administrative Assistant to the Board