

STATE WATER RESOURCES CONTROL BOARD  
**RESOLUTION NO. 2006 - 0009**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN  
FOR THE CENTRAL VALLEY REGION TO REMOVE FOUR BENEFICIAL USES  
FROM SURFACE WATERS OF OLD ALAMO CREEK

WHEREAS:

1. On April 28, 2005, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Resolution No. R5-2005-0053 ([Attachment](#)), amending the Water Quality Control Plan for the Central Valley Region (Basin Plan). The amendment revises the first three paragraphs on page II-2.00 under the heading Surface Waters in Chapter II (Beneficial Uses) of the Basin Plan by excepting Old Alamo Creek, Solano County, from the municipal and domestic supply (MUN), cold freshwater habitat (COLD), migration of aquatic organisms (MIGR), and spawning, reproduction and /or early development (SPWN) beneficial uses.
2. In 2002, the State Water Resources Control Board (State Water Board) reviewed waste discharge requirements for the City of Vacaville's Easterly Wastewater Treatment Plant (Easterly Plant) and adopted Water Quality Order [2002-0015](#) (Vacaville Order). Vacaville discharges treated effluent from the Easterly Plant to Old Alamo Creek. In the Vacaville Order, the State Water Board concluded that MUN is not an existing beneficial use for Old Alamo Creek and that it probably cannot be feasibly attained in the future. The State Water Board committed to consider a site-specific exception from State Board Resolution No. [88-63](#) (Sources of Drinking Water Policy) for the Creek if the Central Valley Water Board amended its Basin Plan to dedesignate MUN as a beneficial use for the Creek.
3. The Central Valley Water Board conducted a Use Attainability Analysis in order to evaluate four beneficial uses in Old Alamo Creek including MUN, COLD, MIGR, and SPWN.
4. The Central Valley Water Board's Final Staff Report (April 2005) for the amendment indicates that the MUN, COLD, MIGR, and SPWN beneficial uses do not exist in Old Alamo Creek and the uses cannot be feasibly attained in the future due to ephemeral, intermittent, or low flows together with hydrologic modifications, and unsuitable natural physical conditions in Old Alamo Creek.
5. The State Water Board finds that the Central Valley Water Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and all other applicable State laws and regulations.
6. The State Water Board finds that the amendment is in conformance with the requirements of the site-specific exception specified in the Policy.

7. The State Water Board finds that the Basin Plan amendment is in conformance with the requirements of Water code section 13240, which specifies that Regional Water Quality Control Boards shall periodically review and may revise Basin Plans.
8. This Basin Plan amendment will not become effective until approved by the State Water Board, Office of Administrative Law (OAL), and U.S. Environmental Protection Agency (USEPA) and a Notice of Decision has been filed with the Secretary of the California Resources Agency.

**THEREFORE BE IT RESOLVED THAT:**

The State Water Board:

1. Approves the amendment to the Basin Plan as adopted under Central Valley Water Board Resolution No. R5-2005-0053.
2. Authorizes the Executive Director to submit the amendment adopted under Central Valley Water Board Resolution NO. R5-2005-0053 and the administrative record for this action to OAL and USEPA for approval.

**CERTIFICATION**

The undersigned, Acting 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 Board held on February 1, 2006.

AYE: Tam M. Doduc  
Richard Katz  
Gerald D. Secundy

OPPOSED: None

ABSENT: Arthur G. Baggett, Jr.

ABSTAIN: None



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Selica Potter  
Acting Clerk to the Board