CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2014-0037

AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
FOR
THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS
TO EDIT AND UPDATE LANGUAGE

WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) finds that:

1. In 1975 the Central Valley Water Board adopted the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan), which has been amended occasionally.

2. The Basin Plan may be amended in accordance with the California Water Code Section 13240, et seq.

3. California Water Code section 13241 authorizes the Central Valley Water Board to establish water quality objectives and California Water Code section 13242 sets forth the requirements for a program for implementation for achieving water quality objectives.

4. The Clean Water Act (33 United States Code (USC) § 1251 et seq.) section 303 requires the Central Valley Water Board to develop water quality objectives which are sufficient to protect beneficial uses designated for each water body found within its region.

5. The Clean Water Act section 303 requires the Central Valley Water Board to review the Basin Plan at least every three years and where appropriate modify water quality objectives or beneficial uses in the Basin Plan.

6. The Central Valley Water Board has prepared draft amendments which correct the description of the boundary between the San Joaquin River Basin and the Tulare Lake Basin; remove, correct and update footnotes in several tables; correct typographical errors; and update references to the California Department of Public Health and the California Department of Fish and Wildlife. In addition the amendments incorporate the State Water Resources Control Board (State Water Board) policies for compliance schedules and recycled water and update the incorporation of the implementation policy for toxics and the enforcement policy.

7. The amendments are corrections and updates and the Board is not revising or adopting water quality objectives, so the Water Board is not required to consider the factors in Water Code section 13241.

8. The Central Valley Water Board finds that the draft amendments are corrections of typographical errors and updates and do not have scientific elements requiring independent, external scientific peer review in accordance with Health and Safety Code Section 57004.

9. The Central Valley Water Board finds that the proposed amendments are consistent with the State Water Resources Control Board (State Water Board) Resolution No. 68-16, in that the changes to water quality objectives (i) consider maximum benefit to the people of the state, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies, and that the proposed amendment is consistent with the federal Antidegradation Policy (Code of Federal Regulations, title 40, section 131.12). The proposed amendments correct typographical errors and updates language in the Basin Plan. The amendments will not cause impacts on water quality.

10. The Basin Plan is the basis for regulatory actions by the Regional Water Boards to protect waters of the state and assure compliance with the California Water Code. Therefore, errors in the text should be corrected and the language should be updated to assure that stakeholders are aware of the applicable regulations. The proposed action meets the “Necessity” standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b).

11. The basin planning process has been certified by the Resources Agency as an exempt regulatory program because its process adequately fulfills the purposes of the California Environmental Quality Act (CEQA). The Central Valley Water Board is therefore exempt from CEQA’s requirements to prepare an environmental impact report, negative declaration, or initial study (Public Resources Code, section 21000 et seq.) for the proposed amendment. Instead, the Central Valley Water Board prepares substitute environmental documents under the certified regulatory program. However, the proposed amendments are exempt from the certified regulatory program requirements because those requirements do not apply if the proposed amendments are exempt from CEQA. (Pub. Res. Code § 21080, subdivision (b)(1); Cal. Code of Regs., tit. 14, §§ 15060, subdivision (c) and 15378, subdivision (b)(5); Cal. Code of Regs., tit. 23, § 3720, subd. (b).)

12. Central Valley Water Board staff has prepared draft amendments and a staff report dated December 2013. The staff report included a description of the proposed amendment.

13. Central Valley Water Board staff has circulated a Notice of Public Hearing and a written staff report, including draft proposed amendments, to interested individuals and public agencies, for review and comment in accordance with state and federal environmental requirements. (Wat. Code § 13245.; Code of Federal Regulations, title 40, sections 25 and 131).

14. Responses to all comments have been prepared and the draft amendment, staff report and environmental checklist have been revised as appropriate in response to comments.

15. The Central Valley Water Board held a public hearing on 27 March 2014, for the purpose of receiving testimony on the draft Basin Plan amendment. Notice of the public hearing was sent to all interested persons and published in accordance with California Water Code section 13244.

16. A Basin Plan amendment must be approved by the State Water Board, Office of Administrative Law (OAL), and, as appropriate, the U. S. Environmental Protection Agency (USEPA). The proposed amendment becomes effective under State law after OAL approval and becomes effective under the federal Clean Water Act after USEPA approval.

17. The Central Valley Water Board finds that the amendment to the Basin Plan was developed in accordance with California Water Code section 13240, et seq.

THEREFORE BE IT RESOLVED:

1. Pursuant to California Water Code section 13240, et seq., the Central Valley Water Board, after considering the entire record, including oral testimony at the hearing, hereby approves the staff report and adopts the amendment to the Basin Plan as set forth in Attachment 1.

2. The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirements of California Water Code section 13245.

3. The Central Valley Water Board requests that the State Water Board approve the Basin Plan amendment in accordance with the requirements of Water Code sections 13245 and 13246 and forward it to OAL and the USEPA. The Central Valley Water Board specifically requests USEPA approval of all Basin Plan amendment provisions that require USEPA approval.

4. If during its approval process the Central Valley Water Board staff, State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Valley Water Board of any such changes.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Valley Region, on 27 March 2014.

Original Signed by
PAMELA C. CREEDON, Executive Officer

Attachments:

Attachment 1: Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to Edit and Update Language.

ATTACHMENT 1

RESOLUTION NO. R5-2014-0037

AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR
THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS
TO EDIT AND UPDATE LANGUAGE

Minor, non-substantive changes to the Basin Plan Amendment language made by the Central Valley Water Board's Executive Officer on 24 October 2014 are indicated by highlighted double underline and ~~double strikethrough~~. Revise Basin Plan sections as follows:

CHAPTER I: INTRODUCTIONS

Revise the description of the Basin boundary on page I-1.00 as follows:

> The planning boundary between the San Joaquin River Basin and the Tulare Lake Basin follows the southern watershed boundaries of the Little Panoche Creek, Moreno Gulch, and Capita Canyon to boundary of the Westlands Water District. From here, the boundary follows the northern edge of the Westlands Water District until its intersection with the Fireb~~u~~a*u*gh Canal Company's Main Lift Canal. The basin boundary then follows the Main Lift Canal to the Mendota Pool and continues eastward along the channel of the San Joaquin River to the southern boundary of the Little Dry Creek watershed (Hydrologic Subareas No. 540.70 and 545.30) ~~Millerton Lake in the Sierra Nevada foothills,~~ and then follows along the southern boundary of the San Joaquin River drainage basin.

CHAPTER II: PRESENT AND POTENTIAL BENEFICIAL USES

Modify Table II-1 to delete a reference to Footnote 1 as follows:

SURFACE WATER BODIES AND BENEFICIAL USES

SURFACE WATER BODIES ~~(1)~~	HYDRO UNIT NUMBER	AGRI-CULTURE		INDUSTRY			RECREATION			FRESHWATER HABITAT (2)		MIGRATION		SPAWNING		WILD	NAV
		MUN	AGR	PROC	IND	POW	REC-1		REC-2	WARM	COLD	MIGR		SPWN		WILD	NAV
		MUNICIPAL AND DOMESTIC SUPPLY	IRRIGATION / STOCK WATERING	PROCESS	SERVICE SUPPLY	POWER	CONTACT	CANOEING (1) AND RAFTING / OTHER NONCONTACT		WARM	COLD	WARM (3)	COLD (4)	WARM (3)	COLD (4)	WILDLIFE HABITAT	NAVIGATION

Modify Footnote 5 of Table II-1 as follows:

(1) Shown for streams and rivers only with the implication that certain flows are required for this beneficial use.
(2) Resident does not include anadromous. Any Segments with both COLD and WARM beneficial use designations will be considered COLD water bodies for the application of water quality objectives.
(3) Striped bass, sturgeon, and shad.
(4) Salmon and steelhead
~~(5) As a primary beneficial use.~~

CHAPTER III: WATER QUALITY OBJECTIVES

Modify Footnote d of Table III-1 on page III-4.00 as follows:

[d] Does not apply to Sacramento River above State Hwy. 32 bridge at Hamilton City. See relevant objectives (~~*~~c) above.

Modify page III-2.00 as follows:

The fourth point is that the Regional Water Board recognizes that immediate compliance with water quality objectives adopted by the Regional Water Board or the State Water Board, or with water quality criteria adopted by the USEPA, may not be feasible in all circumstances. Where the Regional Water Board determines it is infeasible for a discharger to comply immediately with such objectives or criteria, compliance shall be achieved in the shortest practicable period of time (determined by the Regional Water Board), not to exceed ten years after the adoption of applicable objectives or criteria. This policy shall apply to water quality objectives and water quality criteria adopted after the effective date of this amendment to the Basin Plan [25 September 1995]. The Regional Water Board will establish compliance schedules in NPDES permits consistent with the provisions of the State Water Board's Compliance Schedule Policy (Resolution 2008-0025). Time schedules in waste discharge requirements are established consistent with Water Code Section 13263.

Modify page III-8.0~~0~~1 as follows:

The Regional Water Board will also consider all material and relevant information submitted by the discharger and other interested parties and numerical criteria and guidelines for toxic substances developed by the State Water Board, the California Office of Environmental Health Hazard Assessment, the State Water Board Division of Drinking Water Programs~~California Department of Public Health Services~~, the U.S. Food and Drug Administration, the National Academy of Sciences, the U.S. Environmental Protection Agency, and other appropriate …

CHAPTER IV: IMPLEMENTATION

Modify page IV-9.00 as follows:

7. *State Water Board Resolution No. 88-23, Policy Regarding the Underground Storage Tanks Pilot Program*

The State Water Board adopted this policy on 18 February 1988. The policy implements a pilot program to fund oversight of remedial action at leaking underground storage tank sites, in cooperation with the California Department of Public Health (formerly the California Department of Health Services). Oversight may be deferred to the Regional Water Boards. See Appendix Item 7.

Review page IV-10.01 as follows:

15. *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (a.k.a. State Implementation ~~Plan~~ Policy or SIP)*

~~In March 2000, t~~The State Water Board adopted ~~the SIP in Resolution No. 2000-015. This Policy~~ a policy that establishes:

(1) Implementation provisions for priority pollutant criteria promulgated by the U.S. Environmental Protection Agency (U.S. EPA) through the National Toxics Rule (40 CFR 131.36) (promulgated on 22 December 1992 and amended on 4 May 1995) and through the California Toxics Rule (40

CFR 131.38) (promulgated on 18 May 2000 and amended on 13 February 2001), and for priority pollutant objectives established by Regional Water Boards in their basin plans; and

(2) Monitoring requirements for 2,3,7,8-TCDD equivalents; and

(3) Chronic toxicity control provisions.

In addition, ~~this Policy~~ the SIP includes special provisions for certain types of discharges and factors that could affect the application of other provisions in ~~this Policy~~the SIP. The SIP, including future revisions, is incorporated into this Basin Plan and shall be implemented according to the policy's provisions.

16. *Water Quality Enforcement Policy (Enforcement Policy) and Policy on Supplemental Environmental Projects (SEP Policy)*

The State Water Board adopted the Enforcement Policy ~~on 19 February 2002. The primary goal of this Enforcement Policy is~~ to create a framework for identifying and investigating instances of noncompliance, for taking enforcement actions that are appropriate in relation to the nature and severity of the violation, and for prioritizing enforcement resources to achieve maximum environmental benefits. The State Water Board adopted the SEP Policy as an adjunct to the Water Boards' enforcement program and allows for the inclusion of a supplemental environmental project in administrative civil liability actions as long as certain criteria are met to ensure that such a project has environmental value, furthers the goals of the State Water Board and Regional Water Boards, and are subject to appropriate input and oversight by the Water Boards. Both the Enforcement Policy and the SEP Policy, including future revisions, are incorporated into this Basin Plan and shall be implemented according to the policies' provisions.

Add the following to page IV-10.01:

XX. *Policy for Water Quality Control for Recycled Water (Recycled Water Policy)*

The Recycled Water Policy establishes requirements to increase the use of recycled water in California. These requirements include the development and adoption of salt/nutrient management plans, regulation of incidental runoff from landscape irrigation with recycled water, criteria and procedures for streamlined permitting of recycled water landscape irrigation projects, procedures for permitting groundwater recharge projects including procedures for demonstrating compliance with the Resolution No, 68-16 (the State Antidegradation Policy), and provisions for addressing constituents of emerging concern. The Recycled Water Policy, including future revisions, is incorporated into this Basin Plan and shall be implemented according to the policy's provisions.

Modify page IV-12.00 as follows:

2. *Department of ~~Public Health Services~~Toxic Substances Control*

On 27 January 1986, the State Water Board Chairperson signed an MOA with the Department of Health Services (later renamed to the Department of ~~Public Healt~~h Toxic Substances Control) regarding the implementation of the hazardous waste program. The agreement covers surveillance and enforcement related to water quality at landfills, surface impoundments, waste piles, and land treatment facilities that treat, store, or dispose of hazardous waste. It also covers the issuance, modification, or denial of permits to facilities, including the revision of the water quality aspects of hazardous waste management facility siting, design, closure, post-closure, and surface and ground water monitoring and protection. See Appendix Item 14.

3. *State Water Board Division of Drinking Water Programs ~~Department of Public Health Services~~*

In 1988, the Chairman of the State Water Board signed an MOA with the Department of Health Services (later named the State Water Board Division of Drinking Water Programs ~~renamed to the Department of Public Health~~) regarding the use of reclaimed water. …

Modify page IV-13.00 as follows:

6. ~~*Department of Health Services*~~*/Department of Toxic Substances Control*

In July 1990, the State Water Board and the Department of Health Services, Toxic Substances Control Program (later reorganized into the Department of Toxic Substances Control) signed an MOU which explains the roles of the agencies (and of the Regional Water Boards) in the cleanup of hazardous waste sites. The MOU describes the protocol the agencies will follow to determine which agency will act as lead and which will act as support, the responsibilities of the agencies in their respective roles, the procedures the agencies will follow to ensure coordinated action, the technical and procedural requirements which each agency must satisfy, the procedures for enforcement and settlement, and the mechanism for dispute resolution. This MOU does not alter the Board's responsibilities with respect to water quality protection. See Appendix Item 18.

Modify page IV-14.00 as follows:

10. *Implementation of the San Joaquin Valley Drainage Program's Recommended Plan*

In January 1992, the State Water Board Chairman signed a MOU with the U.S. Bureau of Reclamation, the U.S. Fish and Wildlife Service, the U.S. Soil Conservation Service, the U.S. Geological Survey, the California Department of Fish and Game (later renamed the California Department of Fish and Wildlife, and the Department of Food and Agriculture. The MOU is an agreement by the agencies to use the management plan described in the September 1990 final report of the San Joaquin Valley Drainage Program as a guide for remedying subsurface drainage and related problems. See Appendix Item 22.

Modify page IV-16.00 as follows:

Where the Regional Water Board determines it is infeasible to achieve immediate compliance with water quality objectives adopted by the Regional Water Board or the State Water Board, or with water quality criteria adopted by the USEPA, or with an effluent limitation based on these objectives or criteria, the Regional Water Board may establish in NPDES permits a schedule of compliance. The schedule of compliance shall include a time schedule for completing specific actions that demonstrate reasonable progress toward the attainment of the objectives or criteria and shall contain a final compliance date, based on the shortest practicable time (determined by the Regional Water Board) required to achieve compliance. In no event shall an NPDES permit include a schedule of compliance that allows more than ten years (from the date of adoption of the objective or criteria) for compliance with water quality objectives, criteria or effluent limitations based on the objectives or criteria. Schedules of compliance are authorized by this provision only for those water quality objectives or criteria adopted after the effective date of this provision [25 September 1995]. The Regional Water Board will establish compliance schedules in NPDES permits consistent with the provisions of the State Water Board's Compliance Schedule Policy (Resolution 2008-0025). Time schedules in waste discharge requirements are established consistent with Water Code Section 13263.

Modify the second column of page IV-17.00 as follows:

To evaluate compliance with the narrative water quality objectives, the Regional Water Board considers, on a case-by-case basis, direct evidence of beneficial use impacts, all material and relevant information submitted by the discharger and other interested parties, and relevant numerical criteria and guidelines developed and/or published by other agencies and organizations (e.g., State Water Board , State Water

Board Division of Drinking Water Programs ~~California Department of Public Health Services~~, California Office of Environmental Health Hazard Assessment, California Department of Toxic Substances Control, University of California Cooperative Extension, California Department of Fish and ~~Game~~Wildlife, USEPA, U.S. Food and Drug Administration, National Academy of Sciences, U.S. Fish and Wildlife Service, Food and Agricultural Organization of the United Nations). In considering such criteria, the Board evaluates whether the ~~specificnumerical~~specific numerical criteria, which are available through these sources and through other information supplied to the Board, are relevant and appropriate to the situation at hand and, therefore, should be used in determining compliance with the narrative objective. For example, compliance with the narrative objective for taste and odor may be evaluated by comparing concentrations of pollutants in water with numerical taste and odor thresholds that have been published by other agencies. This technique provides relevant numerical limits for constituents and parameters which lack numerical water quality objectives. To assist dischargers and other interested parties, the Regional Water Board staff has compiled many of these numerical water quality criteria from other appropriate agencies and organizations in the Central Valley Regional Water Board's staff report, *A Compilation of Water Quality Goals*. This staff report is updated regularly to reflect changes in these numerical criteria.

Modify page IV-21.01 as follows:

3. *California Department of Fish and ~~Game~~Wildlife and Mosquito Abatement and Vector Control Districts of the South San Joaquin Valley*

On 25 February 1993, the Regional Water Board Executive Officer signed an MOU with the California Department of Fish and Game (later renamed to the California Department of Fish and Wildlife) and 11 mosquito abatement and vector control districts of the south

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Text continued on next page

Modify Footnote 1 of Table IV-3 on page IV-29.01 as follows:

1 Relative to unimpaired runoff to Delta Based on 1922 -1971 period. See definitions in Figure ~~III-2~~2 of the 2006 Bay-Delta Plan
2 Less than 57% , or less than 70% when preceding year critical
3 Less than 70%, or less than 90% when preceding year critical
4 Greater than 125%

Modify page IV-30.00 as follows

6. The selenium water quality objective for the wetland channels can not be achieved without removal of drainage water from these channels. The present use of the Grassland channels has developed over a 30-year period through agreements between the dischargers, water and irrigation districts, the U.S. Bureau of Reclamation, the California Department of Water Resources, the U.S. Fish and Wildlife Service, the California Department of Fish and Game, (now the Department of Fish and Wildlife), the Grassland Water District and the Grassland Resource Conservation District. Because each entity shared in the development of the present drainage routing system, each shares the responsibility for implementation of a wetlands bypass.

Modify Table IV-6.3 on page IV-33.07 as follows:

Table IV-6.3
Implementation Summary

Implementation Activity	Affected Watersheds	Assigned Responsibility	Action	Completion Date
Inactive Mines	Bear Creek, Harley Gulch, Sulphur Creek	Mine owners and other responsible parties, USBLM	Cleanup mines, sediment, and wetlands	2011
Creek Sediments-Harley Gulch Delta	Harley Gulch	USBLM	Conduct additional studies	2006
			Submit report on engineering options	2008
			Conduct projects, as required	2011
Creek Sediments-Upper Watershed	Bear Creek, Davis Creek, Harley Gulch, Sulphur Creek, and Cache Creek (Harley Gulch to Camp Haswell)	USBLM, SLC, ~~CDFG~~CDFW, Colusa, Lake, and Yolo Counties, private landowners	Conduct additional studies	2007
			Feasibility studies	(Scope and time schedule for plan and reports determined as needed)
			Conduct Projects (as required)	
Erosion Control-Upper Watershed	Sub-watersheds with "enriched" mercury. Includes areas of Bear Creek, Sulphur Creek, and Cache Creek (Harley Gulch to Camp Haswell)	USBLM, SLC, ~~CDFG~~CDFW, Colusa, Lake, and Yolo Counties, private landowners	Conduct additional studies	2006
			Identify activities that increase erosion	2007
			Submit erosion control plans, as required	2009
			Implement erosion control plans, as required	2011

Modify the second column of page IV-33.08 as follows:

At other sites, further assessments are needed to determine whether responsible parties should be required to conduct feasibility studies to evaluate methods to control sources of mercury and methylmercury. The Executive Officer will, to the extent appropriate, prioritize the need for feasibility studies and subsequent remediation actions based on mercury concentrations and masses, erosion potential, and accessibility. Staff intends to complete the assessments by 6 February 2009. Where applicable, the Executive Officer will notify responsible parties to submit feasibility studies. Following review of the feasibility studies, the Executive Officer will determine whether cleanup actions will be required. Responsible parties that could be required to conduct feasibility studies include the US Bureau of Land Management (USBLM); State Lands Commission (SLC), California Department of Fish and ~~Game~~Wildlife (~~CDFG~~CDFW); Yolo, Lake, and Colusa Counties, mine owners, and private landowners. Assessments are needed of stream beds and banks in the following areas: Cache Creek from Harley Gulch to Camp Haswell, Harley Gulch, Sulphur Creek, and Bear Creek south of the Bear Valley Road crossing.

Modify the first column of page IV-33.09 as follows:

Other Activities

A goal of the Regional Water Board is to minimize erosion from areas with enriched mercury concentrations. Further studies are needed to identify specific upland sites within the watershed areas described above that have enriched mercury concentrations and to evaluate whether activities at these sites could result in increased erosion (i.e., grazing, timber harvest activities, etc.) or contribute to increases in methylmercury production. Staff will identify areas with enriched mercury concentrations by 6 February 2008. After the studies are complete, the Executive Officer will require affected landowners and/or land

managers to 1) submit reports that identify anthropogenic activities on their lands that could result in increased erosion and 2) implement management practices to control erosion. As necessary, erosion control plans will be required no later than 6 February 2011. Entities responsible for controlling erosion include the US Bureau of Land Management (USBLM); State Lands Commission (SLC); California Department of Fish and ~~Game~~Wildlife (~~CDFG~~CDFW); Yolo, Lake, and Colusa Counties; and private landowners.

Modify the first column of page IV-33.10 as follows:

The Executive Officer may waive, consistent with State and federal law, the requirement for erosion control from a project conducted in the 10-year floodplain for habitat conservation or development activities for bank swallows that are proposed under the State's adopted Bank Swallow Recovery Plan (Department of Fish and Game (later renamed the Department of Fish and Wildlife), 1992).

Modify the second column of page IV-33.18 as follows:

New wetland, floodplain, and other aquatic habitat restoration and enhancement projects, including but not limited to projects developed, planned, funded, or approved by individuals, private businesses, nonprofit organizations, and local, State, and federal agencies such as USACE, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration Fisheries, U.S. Environmental Protection Agency, U.S. Bureau of Reclamation, State Water Resources Control Board, California Department of Water Resources, and California Department of Fish and ~~Game~~Wildlife, shall comply with all applicable requirements of this program, including conducting or participating in Control Studies and complying with allocations. …

Modify Table IV-7B on page IV-33.25 as follows:

TABLE IV-7B
MUNICIPAL AND INDUSTRIAL WASTEWATER METHYLMERCURY (MeHg) ALLOCATIONS

PERMITTEE [a]	**NPDES Permit No.**	**MeHg Waste Load Allocation** [b] (g/yr)
Central Delta		
Discovery Bay WWTP	CA0078590	0.37
Lincoln Center Groundwater Treatment Facility	CA0084255	0.018
Lodi White Slough WWTP	CA0079243	0.94
Metropolitan Stevedore Company	CA0084174	[c]
Unassigned allocation for NPDES facility discharges	[d]	0.31

Modify the first column of page IV-34.00 as follows:

To ensure that new pesticides do not create a threat to water quality, the Board, either directly or through the State Water Resources Control Board, will review the pesticides that are processed through the Department of ~~Food and Agriculture's (DFA)~~ Pesticide Regulation's (DPR) registration program. Where use of the pesticide may result in a discharge to surface waters, the Board staff will make efforts to ensure that label instructions or use restrictions require management practices that will result in compliance with water quality objectives. When the Board determines that despite any actions taken by ~~DFA~~DPR, use of the pesticide may result in discharge to surface waters in violation of the objectives, the Board will take regulatory action, such as adoption of a prohibition of discharge or issuance of waste discharge requirements to control discharges of the pesticide. Monitoring may be required to verify that management practices are effective in protecting water quality.

The Board will notify pesticide dischargers through public notices, educational programs and ~~the Department of Food and Agriculture's pesticide regulatory program~~DPR of the water quality objectives related to pesticide discharges. …

Modify the second column of page IV-34.00 as follows:

1. Where the Board finds that pesticide discharges pose a significant threat to drinking water supplies or other beneficial uses, it will request ~~DFA~~DPR to act to prevent further impacts. If ~~DFA~~DPR does not proceed with such action(s) within six months of the Board's request, the Board will act within a reasonable time period to place restrictions on the discharges.

Modify the second column of page IV-35.00 as follows:

To ensure the best possible program, the Board will coordinate its pesticide control efforts with other agencies and organizations. Wherever possible, the burdens on pesticide dischargers will be reduced by working through the ~~DFA~~DPR or other appropriate regulatory processes. …

Modify the formula on page IV-36.03.01 as follows:

6. The waste load allocations (WLA) for all NPDES-permitted dischargers, load allocations (LA) for nonpoint source discharges, and the loading capacity (LC) of each of the Sacramento-San Joaquin Delta Waterways defined in Appendix 42 shall not exceed the sum (S) of one (1) as defined below.

$$S = \frac{C_D}{WQO_D} + \frac{C_C}{WQO_C} \leq 1.0$$

where

C_D = diazinon concentration in ~~mg/L~~µg/L of point source discharge for the WLA; nonpoint source discharge for the LA; or a Delta Waterway for the LC.
C_C = chlorpyrifos concentration in ~~mg/L~~µg/L of point source discharge for the WLA; nonpoint source discharge for the LA; or a Delta Waterway for the LC.
WQO_D = acute or chronic diazinon water quality objective in µg/L.
WQO_C = acute or chronic chlorpyrifos water quality objective in µg/L.

Available samples collected within the applicable averaging period for the water quality objective will be used to determine compliance with the allocations and loading capacity. For purposes of calculating the sum (S) above, analytical results that are reported as “non-detectable” concentrations are considered to be zero.

CHAPTER V: SURVEILLANCE AND MONITORING

Modify the second column of page V-1.00 as follows:

Data Collected by Other Agencies

The Regional Water Board relies on data collected by a variety of other agencies. For example, the Department of Water Resources (DWR) has an ongoing monitoring program in the Delta and the United States Geological Survey (USGS) and DWR conduct monitoring in some upstream rivers. The Department of Fish and ~~Game~~Wildlife, Fish and Wildlife Service, USGS, and State Water Board Division of Drinking Water Programs ~~Department of Public Health Services~~ also conduct special studies and collect data.

Modify the first column of page V-3.01 as follows:

Trophic level 3 and 4 fish sample sets will include three species from each trophic level and will include both anadromous and non-anadromous fish. Trophic level 3 and 4 fish sample sets will include a range of fish sizes between 150 and 500 mm total length. Striped bass, largemouth bass, and sturgeon caught for mercury analysis will be within the ~~CDFG~~CDFW legal catch size limits. Sample sets for fish less than 50 mm will include at least two fish species that are the primary prey species consumed by wildlife at sensitive life stages. In any subarea, if multiple species for a particular trophic level are not available, one species in the sample set is acceptable.

APPENDICES

Modify the titles of Appendices 14, 15, 18 and 30 as follows:

14. State Water Board MOA with Department of Health Services (later renamed the Department of Public Health) (implementation of hazardous waste program)

15. State Water Board MOA with Department of Health Services (later renamed State Water Board Division of Drinking Water Programs ~~renamed the Department of Public Health~~) (use of reclaimed water)

18. State Water Board MOU with Department of Health Services /Department of Toxic Substances Control (later the Department of Health Services was renamed the Department of Public Health and the Toxic Substances Control Program was reorganized into the Department of Toxic Substances Control)

30. Regional Water Board MOU with California Dept. of Fish and Game (later renamed the California Dept. of Fish and Wildlife) and Mosquito Abatement and Vector Control Districts of the South San Joaquin Valley Regarding Vegetation Management in Wastewater Treatment Facilities