

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 90-76

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR  
THE CENTRAL VALLEY REGION, SACRAMENTO RIVER BASIN (5A),  
REVISING COMPLIANCE DATES FOR A PROHIBITION OF  
WASTE DISCHARGE FROM INDIVIDUAL DISPOSAL SYSTEMS IN THE  
CHICO URBAN AREA, BUTTE COUNTY

WHEREAS:

1. The California Regional Water Quality Control Board, Central Valley Region (Central Valley Regional Board) adopted the Water Quality Control Plan for the Central Valley Basin (Basin Plan) on July 23, 1975.
2. Section 13240 of the California Water Code specifies that basin plans be periodically reviewed and, if appropriate, revised.
3. The Central Valley Regional Board properly noticed and held a public hearing on October 27, 1988 in Chico, California regarding a proposed prohibition on the discharge of wastes from individual disposal systems in the Chico Urban Area.
4. On October 27, 1988, the Central Valley Regional Board adopted Order No. 88-177 (Attachment 1) imposing the prohibition for the Chico Urban Area.
5. The prohibition is an amendment to the Basin Plan and provides for exemptions under specific circumstances.
6. The action by the Central Valley Regional Board was taken after a study completed in 1984 by the Department of Water Resources and a subsequent study completed in 1985 by Aqua Resources Incorporated identified several areas of nitrate contamination in exceedance of the State Department of Health Services maximum contaminant level of 45 milligrams per liter.
7. In adopting a prohibition of discharges from individual disposal systems, the Central Valley Regional Board fulfilled the requirements of Water Code Sections 13280 through 13284.
8. The City of Chico and Butte County adopted a Nitrate Action Plan on March 5, 1985 in order to address the nitrate contamination problem. Only portions of this plan were implemented with the notable exception of a time schedule for the elimination of individual disposal systems.

9. The Central Valley Regional Board found that adequate protection of water quality and beneficial uses could not be attained by continued use of individual disposal systems, even with the assurance of an authorized public agency that proper design and management will be maintained, as provided in Water Code Section 13282.
10. Section 13245 of the California Water Code specifies that a revision of a water quality control plan adopted by a Regional Water Quality Control Board does not become effective until approved by the State Water Resources Control Board (State Board).
11. In considering approval of Central Valley Regional Board Order No. 88-177, the State Board directed that a review committee be formed to determine if sufficient evidence existed to support the Central Valley Regional Board's adoption of an individual disposal system prohibition.
12. The review committee supported the Central Valley Regional Board's contention that individual disposal systems are the major factor degrading the ground waters in the Chico Urban Area. The committee also identified agricultural fertilizers as a source of nitrate contamination in the Chico Urban Area.
13. On October 20, 1989, the State Board adopted Resolution No. 89-95 (Attachment 2) approving Regional Board Order No. 88-177 in its entirety with the direction that compliance dates were to be reviewed and revised to provide appropriate time for implementation.
14. On April 27, 1990, after due public notice, the Central Valley Regional Board conducted a public hearing at which testimony was considered and Central Valley Regional Board Order No. 90-126 (Attachment 3) was adopted amending the compliance dates for Central Valley Regional Board Order No. 88-177.
15. The Central Valley Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act.

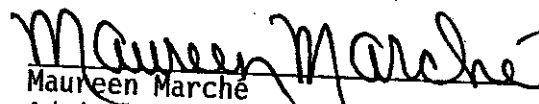
16. Central Valley Regional Board Order No. 90-126 amends the compliance date for prohibition of waste discharge from new individual disposal systems from January 1, 1989 to July 1, 1990, and for existing individual disposal systems from January 1, 1994 to July 1, 1995.

THEREFORE BE IT RESOLVED:

That the State Board approve Central Valley Regional Board Order No. 90-126 revising the compliance schedule set forth in Central Valley Regional Board Order No. 88-177 prohibiting the installation of individual disposal systems in the Chico Urban Area after July 1, 1990, and waste discharge from all individual disposal systems after July 1, 1995.

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 19, 1990.

  
Maureen Marché  
Administrative Assistant to  
the Board