

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 96-020

AMENDING RESOLUTION NO. 95-46 ENTITLED
"ACCEPTANCE OF SETTLEMENT AGREEMENTS AND
REVISION OF WASTE DISCHARGE REQUIREMENTS
FOR SIX OPERATORS OF
AGRICULTURAL SUBSURFACE DRAINAGE EVAPORATION PONDS
IN THE TULARE LAKE BASIN"

WHEREAS:

1. On July 20, 1995, the State Water Resources Control Board (SWRCB) adopted Resolution No. 95-46, accepting settlement agreements and revising waste discharge requirements (WDRs) for six operators of agricultural subsurface drainage evaporation ponds in the Tulare Lake basin.
2. The operators are: (1) Pryse Farms, Inc., Bowman Farms, Inc., Steven W. Martin Ranch, Inc., and 4-J Corporation (known collectively as "The Alpaugh Group"); (2) Britz, Inc.; and (3) Rainbow Ranches, Inc.
3. Resolved Clause No. 6 of Resolution No. 95-46 provided that the SWRCB's acceptance of the settlement agreements and revision of the WDRs for the six operators would not become effective unless, within 30 days of adoption of the resolution, the operators were dismissed, without prejudice, from a lawsuit entitled Bay Institute of San Francisco v. California State Water Resources Control Board, Sacramento County Superior Court Case No. 379765.
4. Pond operators, The Alpaugh Group and Britz, Inc., were dismissed without prejudice from the lawsuit; however, the dismissals did not occur until after the 30-day deadline specified in Resolution No. 95-46.
5. The settlement agreement between the USFWS and Rainbow Ranches, Inc. never became effective.
6. The SWRCB wishes to uphold the settlement agreements which are in effect. It is, therefore, necessary to revise Resolution No. 95-46 to delete Resolved Clause No. 6 and to delete the provisions regarding Rainbow Ranches.

THEREFORE BE IT RESOLVED:

Resolution No. 95-46 is hereby amended to:

1. Delete the reference to Attachment C in Resolved Clauses 1 and 5.

2. Delete Resolved Clause No. 4.
3. Delete Resolved Clause No. 6.

CERTIFICATION

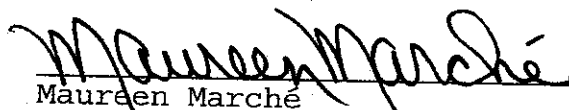
The undersigned, Administrative Assistant of the State Water Resources Control Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on March 21, 1996.

AYE: John P. Caffrey
 John W. Brown
 Mary Jane Forster
 Marc Del Piero

NO: None.

ABSENT: James M. Stubchaer

ABSTAIN: None.



Maureen Marché
Administrative Assistant to the Board