

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2007 – 0028**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR  
THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS (BASIN PLAN) IN THE  
CENTRAL VALLEY FOR THE CONTROL OF DIAZINON AND CHLORPYRIFOS RUNOFF  
INTO THE SACRAMENTO-SAN JOAQUIN DELTA

WHEREAS:

1. The Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted a Basin Plan under Resolution No. 94-380 on December 9, 1994 which was approved by the State Water Resources Control Board (State Water Board) on February 16, 1995, by the Office of Administrative Law (OAL) on May 9, 1995, and by the U.S. Environmental Protection Agency (USEPA) on May 26, 2000.
2. On June 23, 2006, the Central Valley Water Board adopted Resolution No. R5-2006-0061 ([Attachment](#)) amending the Basin Plan to establish a program for the control of diazinon and chlorpyrifos runoff into the Sacramento-San Joaquin River Delta Waterways.
3. The Central Valley Water Board found that the analysis contained in the total maximum daily load (TMDL) staff report, the California Environmental Quality Act (CEQA) checklist, notice of public hearing, and notice of filing prepared by Central Valley Water Board staff comply with the requirements of the State Water Board's certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq.
4. The Central Valley Water Board found that the proposed amendment is consistent with 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 the proposed amendment is consistent with the federal Antidegradation Policy (40 CFR part 131.12). The proposed amendment requires actions to be taken to implement management practices to ensure compliance with water quality objectives. Such actions are of maximum benefit to the people of the state. Reduction of discharges of diazinon and chlorpyrifos to the Delta Waterways is necessary to protect beneficial uses of the Delta Waterways. The proposed amendment will not unreasonably affect present and anticipated beneficial uses nor result in water quality less than described in applicable policies because the amendment is intended to result in compliance with water quality objectives. The actions to be taken are not expected to cause other impacts on water quality.
5. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, section 13241, which authorizes Regional Water Quality Control Boards to establish water quality objectives, section 13242, which requires a program of implementation of water quality objectives, and section 13243 which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted. The State Water Board also finds that the TMDL as reflected in the Basin Plan amendment is consistent with the requirements of federal Clean Water Act section 303(d).

6. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. The TMDL and water quality objectives must also be approved by USEPA.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Central Valley Water Board Resolution No. R5-2006-0061.
2. Authorizes the Executive Director or designee to submit the amendment adopted under Central Valley Water Board Resolution No. R5-2006-0061, as approved, and the administrative record for this action to OAL and the TMDL and water quality objectives to USEPA for approval.

### CERTIFICATION

The undersigned, 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 Resources Control Board held on May 22, 2007

AYE: Tam M. Doduc  
Gary Wolff, P.E., Ph.D.  
Arthur G. Baggett, Jr.  
Charles R. Hoppin  
Frances Spivy-Weber

NO: None

ABSENT: None

ABSTAIN: None



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Clerk to the Board