

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

RESOLUTION NO. R5-2003-0105

CONDITIONAL WAIVERS OF WASTE DISCHARGE REQUIREMENTS
FOR
DISCHARGES FROM IRRIGATED LANDS
WITHIN THE CENTRAL VALLEY REGION

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

1. The Central Valley Region has more than seven million acres of cropland under irrigation and thousands of individuals and operations generating wastewater that fall into the category of “discharges from irrigated lands.”
2. The Central Valley Region has thousands of miles of surface waters that are affected by discharges of waste from irrigated lands. These discharges may adversely affect the quality of the waters of the state.
3. Whether an individual discharge of waste from irrigated lands may affect the quality of the waters of the state depends on the quantity of the discharge, quantity of the waste, the quality of the waste, the extent of treatment, soil characteristics, distance to surface water, depth to groundwater, crop type, management practices and other site-specific factors. These individual discharges may also have a cumulative affect on waters of the state. Some water bodies within the Central Valley have been listed as impaired pursuant to Clean Water Act section 303(d). Waste discharges from some irrigated lands have impaired and will likely continue to impair the quality of the waters of the state within the Central Valley Region if not subject to regulation pursuant to the Porter-Cologne Water Quality Control Act (codified in California Water Code Division 7) (hereafter CWC).
4. As authorized by CWC section 13269, this Resolution adopts conditional waivers of waste discharge requirements for discharges of waste from irrigated lands that requires persons who obtain coverage under the waivers to prepare and implement technical reports to monitor surface water; evaluate, monitor and implement management practices that result in attainment of receiving water limitations based on water quality objectives; and, if directed by the Regional Board, implement additional measures to protect the quality of waters of the state within the Central Valley Region.

LEGAL AND REGULATORY CONSIDERATIONS

5. CWC section 13260 requires that any person who is discharging waste, or proposing to discharge waste (other than to a community sewer system), which

could affect the quality of the waters of the state within the Central Valley Region, shall file a Report of Waste Discharge (ROWD) with the Regional Board.

6. CWC section 13263 requires the Regional Board to prescribe Waste Discharge Requirements (WDRs), or waive WDRs, for the discharge. The WDRs must implement relevant water quality control plans and the CWC.
7. CWC section 13269 authorizes the Regional Board to waive WDRs for a specific discharge or specific type of discharge if: (1) the waiver is not against the public interest; (2) the waiver does not exceed 5 years in duration; (3) the waiver is conditional and may be terminated at any time, and (4) a public hearing has been held. CWC section 13269(e) states that the Regional Board shall require compliance with the conditions of waivers.
8. CWC section 13267(b) provides that: *“In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”*
9. The technical reports required by this Waiver and the attached Monitoring and Reporting Programs are necessary to evaluate each Coalition Group and individual Discharger’s compliance with the terms and conditions of the Waivers.
10. The Regional Board’s *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition* and the *Water Quality Control Plan for the Tulare Lake Basin, Second Edition* (hereafter Basin Plans) designate beneficial uses, establish water quality objectives, contain programs of implementation needed for achieving water quality objectives, and reference the plans and policies adopted by the State Water Resources Control Board (State Board).
11. The existing and potential beneficial uses of waters of the state within the Central Valley Region include one or more of the following: municipal and domestic supply; agricultural supply; industrial process and service supply; power generation; water contact recreation; non-contact water recreation; warm and cold freshwater

habitat; migration of aquatic animals; spawning, reproduction and/or early development; wildlife habitat; estuarine habitat; preservation of biological habitats of special significance; shellfish harvesting; navigation; rare, threatened, and endangered species; freshwater replenishment; and groundwater recharge.

12. The State Board has adopted the “Plan for California’s Nonpoint Pollution Control Program” dated January 2000. The purpose of the NPS [Non Point Source] Program Plan is to improve the State’s ability to effectively manage NPS pollution and conform to the requirements of the federal Clean Water Act and the federal Coastal Zone Act Reauthorization Amendments of 1990. The plan describes a three-tier approach for addressing nonpoint source pollution. The first tier of the approach is considered non-regulatory implementation of management practices. Conditional waivers of waste discharge requirements are characterized as a second-tier process. WDRs are categorized as a third-tier process.
13. State Board Resolution No. 68-16 (“Statement of Policy with Respect to Maintaining High Quality of Waters in California”) (Resolution 68-16) requires a regional board, in regulating the discharge of waste, to maintain high quality waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the state, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in a regional board’s policies (e.g., quality that exceeds water quality objectives). Resolution 68-16 also states, in part:

“Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.”

This Resolution and Attachments are consistent with Resolution 68-16. This Resolution and Attachments require persons who obtain coverage under the Waivers to comply with applicable water quality objectives, protect beneficial uses, and prevent nuisance by implementing monitoring and reporting programs, evaluating the effectiveness of management practices, and where water quality exceeds water quality objectives by identifying and implementing additional management practices to comply with water quality objectives. The Waivers require management practices to be implemented to achieve receiving water limitations based on water quality objectives in the Basin Plan, i.e., to prevent pollution and nuisance. The conditions are enforceable and the Waivers may be terminated at any time.

Neither the California Water Code nor Resolution 68-16 requires instantaneous compliance with water quality objectives. The Waivers recognize that immediate compliance is not feasible in all situations and provide for a time schedule to achieve compliance with water quality objectives and protect beneficial uses. Changes in water quality that may occur as a result of this Waiver will be to improve, over time, the quality of the waters, not to cause further degradation. Thus, any change in water quality will be consistent with maximum benefit to the people of the State and will not unreasonably affect beneficial uses. The conditions that require evaluation and implementation of management practices in the Waivers will result over time in best practicable treatment or control to assure that pollution and nuisance will not occur and that the highest water quality is achieved.

14. **Attachment A** to this Resolution identifies regulatory requirements contained in the Basin Plans that apply to the discharge of waste from irrigated lands, and also provides definitions of terms for purposes of this Resolution and the Waivers.

RATIONALE FOR CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM IRRIGATED LANDS

15. In 1982, the Regional Board adopted Resolution No. 82-036 that conditionally waived Waste Discharge Requirements for 23 categories of discharges, including irrigation return water and storm water runoff (1982 Waiver). Pursuant to CWC section 13269, these waivers terminated on 1 January 2003. On 5 December 2002, prior to the termination of the 1982 Waiver, the Regional Board adopted Resolution No. R5-2002-0201 establishing a new Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands Within the Central Valley Region (2002 Conditional Waiver).
16. Discharges from irrigated lands can and/or do contain wastes as defined in CWC §13050, that could affect the quality of the waters of the state. The discharge of tailwater, wastewater and/or stormwater from irrigated lands occurs to both surface and groundwater. Such wastes include: earthen materials, including soil, silt, sand, clay, rock; inorganic materials, (such as metals, salts, boron, selenium, potassium, nitrogen, etc.); organic materials, (such as organic pesticides) that enter or threaten to enter into waters of the state. Examples of waste not qualifying for conditional discharge under this Waiver include, hazardous waste and human waste.
17. In order to effectively regulate discharges from irrigated lands within the Central Valley Region, it is appropriate to distinguish between the different types of agriculture, geographic locations, crops, source water, and management practices to prevent water quality impairments from discharges of waste from irrigated lands.
18. Various regional and sub-basin Coalition Groups have formed on behalf of individual Dischargers to address issues regarding the discharge of wastewater and

stormwater from irrigated lands to waters of the state. These Coalition Groups have the potential for identifying and correcting water quality impairments without the need for the third-tier process, which would be the issuance of WDRs.

19. The Regional Board has reviewed the 2002 Conditional Waiver, adopted on 5 December 2002, and has determined that additional conditions are required to protect water quality.
20. With this Resolution the Regional Board adopts two Conditional Waivers of Waste Discharge Requirements for Discharges from Irrigated Lands that modifies the 2002 Conditional Waiver to clarify and to include additional conditions. One Conditional Waiver is for Coalition Groups or other entities, which form on behalf of individual Dischargers to comply with the CWC and the Regional Board Plans and Policies. The second Conditional Waiver is for individual Dischargers. Unless otherwise noted, these two Conditional Waivers are hereafter referred to in this Resolution as "Waivers." These additional conditions are contained within the Coalition Group Conditional Waiver (**Attachment B**) and the individual Discharger Conditional Waiver (**Attachment C**).
21. The purpose of the Waivers is to provide an interim program until a 10-year implementation program can be developed for Dischargers covered by this Resolution.
22. These Waivers set forth conditions that will require individual Dischargers and/or Coalition Groups to conduct activities required by a monitoring and reporting program to determine affects on water quality and to implement and evaluate management practices that will result in achieving compliance with water quality objectives in the waters of the state, and to conduct activities in a manner to prevent nuisance.
23. This Resolution conditionally waives the requirement to file ROWDs and obtain WDRs for discharges from irrigated lands, which includes surface discharges (also known as tailwater), operational spills, subsurface drainage generated by irrigating crop land or by installing drainage systems to lower the water table below irrigated lands (wastewater) and storm water runoff flowing from irrigated lands.
24. At this time, it is appropriate to adopt a waiver of ROWDs and WDRs for this category of discharge because: the discharges have the same or similar waste in the same or similar operations, use the same or similar treatment methods and management practices (i.e., source control, reduced use, holding times, cover crops), and the Regional Board has limited facility specific information, and limited water quality data on facility specific discharges. In addition, it is appropriate to regulate this category of agricultural facilities under Waivers rather than individual WDRs or general WDRs in order to simplify and streamline the regulatory process

while additional facility and water quality information is collected over the term of the Resolution and Waivers, and an Environmental Impact Report (EIR) for a ten year implementation program pursuant to the California Environmental Quality Act (CEQA) is prepared to assess alternatives to ensure the protection of water quality.

25. It is not appropriate at this time to adopt individual or general WDRs to regulate discharges of waste from irrigated lands because there are estimated to be more than 25,000 individual dischargers who discharge waste from irrigated lands and it is neither feasible nor practicable due to limitations of Regional Board resources to adopt WDRs within a reasonable time. The Regional Board supports the approach of allowing dischargers to be represented by Coalition Groups in that it can provide a more efficient means to comply with many of the conditions contained in the Waivers. Although there is information that discharges of waste from irrigated lands have impaired waters of the state, information concerning the specific locations of impairments, specific causes, specific types of waste and specific management practices that mitigate impairments, improve and protect water quality is not generally available. The conditions of the Waivers will result in the development of new and additional information that should provide a more reasonable basis for the adoption of individual or general WDRs, where necessary, in the future. The conditions of the Waivers require actions to protect and improve the quality of the waters of the state within the Central Valley Region. The conditions of the Waivers may be enforced in a manner similar to enforcement of WDRs. Coverage under the Waivers may be terminated at any time and the Executive Officer may require any person to submit a ROWD and seek individual WDRs.
26. The adoption of this Resolution and Waivers is not against the public interest because (1) it was adopted in compliance with CWC sections 13260, 13263 and 13269 and other applicable law, (2) it includes conditions that are intended to reduce and prevent pollution and nuisance and protect the beneficial uses of the waters of the state, (3) it contains more specific and more stringent conditions for protection of water quality compared to either the 1982 Waiver or the 2002 Conditional Waiver adopted by the Regional Board on 5 December 2002, and contains conditions that are similar to the conditions of municipal stormwater NPDES permits, including evaluation and implementation of management practices to meet water quality objectives and a more specific monitoring and reporting program, (4) given the magnitude of and number of persons who discharge waste from irrigated lands it provides for an efficient and effective use of limited Regional Board resources, and (5) it provides reasonable flexibility for the Dischargers who seek coverage under the Waivers by providing them with the option of complying with the CWC through participation in Coalition Groups or as individuals.
27. As part of the Regional Board's program strategy, the Regional Board has directed staff to prepare an EIR, develop a comprehensive program to address discharges

from irrigated lands, and establish a monitoring and reporting program that will assess the sources and affects of discharges of waste from irrigated lands. This program will enable the Regional Board to track progress in reducing the amount of waste discharged to waters of the state and measure the effectiveness of management practices implemented in order to meet the goal of compliance with water quality objectives within 10 years.

28. Resolution No. R5-2002-0201 implemented a conditional waiver, which is categorized as a second-tier regulatory process under California's NPS Program Plan, dated January 2000, to meet the requirements of the CWC. The third-tier process, WDRs, including individual WDRs Orders or General WDRs Orders, may be adopted in the future for one or more types of irrigated lands discharges covered by this Waiver if, for example, it is determined that these Waivers are not effective in ensuring that water quality is protected.
29. As time and resources allow, discharges from irrigated lands will be further evaluated by the Regional Board to determine if the Waivers are adequate to improve and/or protect water quality and its beneficial uses. This evaluation will: characterize these discharges; evaluate the effect of these discharges on waters of the state; and assess the effectiveness of management practices implemented in addressing impairments of waters of the state.
30. Where other State Agencies have a regulatory role for activities or pollution addressed by the conditions of the Waiver, the Regional Board will work cooperatively with other State Agencies in order to effectively regulate discharges from irrigated lands.

**SCOPE AND DESCRIPTION OF CONDITIONAL WAIVER OF
WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES
FROM IRRIGATED LANDS**

31. This Resolution and its associated Conditional Waivers replace Resolution No. R5-2002-0201 and the December 2002 Conditional Waiver.
32. These Waivers apply to discharges from irrigated lands to surface waters, which are waters of the state.
33. Irrigated lands are lands where water is applied for producing crops and, for the purpose of these Waivers, includes, but is not limited to, land planted to row, field and tree crops as well as commercial nurseries, nursery stock production, managed wetlands and rice production.
34. These Waivers do not apply to discharges that are subject to the National Pollutant Discharge Elimination System (NPDES) permit program under the Clean Water

Act. Discharges from irrigated lands that constitute agricultural return flows are exempt from regulation under the NPDES permit program. These Waivers do not apply to discharges of waste that are regulated under another Conditional Waiver, individual WDRs or general WDRs. This Resolution and Waivers do not supersede the Regional Board's Basin Plan and policies, including prohibitions and implementation plans (e.g., TMDLs, pesticides, etc.), and the State Board's plans and policies.

35. Pursuant to CWC section 13263(g), discharges of waste to waters of the state is a privilege, not a right, and adoption of this Resolution and Waivers, and the receipt of a Notice of Applicability (NOA) from the Executive Officer, does not create a vested right to continue the discharge.
36. This action to waive the submittal of ROWDs and the issuance of WDRs for discharges from irrigated lands: (a) is conditional, (b) may be terminated at any time, (c) does not permit an illegal activity, (d) does not preclude the need for permits that may be required by other state or local government agencies, and (e) does not preclude the Regional Board from administering enforcement remedies (including civil liability) pursuant to the CWC.
37. For the purposes of this Resolution, individual Dischargers who elect to seek individual coverage under this Resolution and its Waiver will be referred to as Discharger. Those individual Dischargers who are participating in a Coalition Group or other similar entity that seeks coverage under the Watershed Conditional Waiver will be referred to collectively as Coalition Group.
38. The formation, operation and funding of Coalition Groups is the responsibility of the local entities and/or individual Dischargers who are represented by the Coalition Group.
39. These Waivers provide an alternative regulatory option to WDRs. Individual Dischargers or Coalition Groups, on behalf of individual Dischargers, may seek coverage under these Waivers. The Waivers include receiving water limitations based upon existing water quality objectives contained in the Regional Board's Basin Plans, the NTR and the CTR.
40. The Regional Board does not expect that water quality objectives will be achieved in all waters of the state in the Central Valley Region within the term of this Resolution. The conditions of the Waivers, however, will require actions that will lead to achieving water quality objectives. To satisfy the conditions of the Waivers, Coalition Groups and individual Dischargers must submit technical reports, conduct monitoring of surface waters, implement management practices, evaluate the effectiveness of management practices, refine management practices to improve their effectiveness where necessary, protect against pollution and nuisance, and

protect the waters of the state. These technical reports must be submitted to the Regional Board in accordance with CWC section 13267. The technical reports must document the results of water quality and management practice monitoring, describe actions taken to correct water quality impairments and nuisance conditions, and identify future actions necessary to improve and protect water quality. The management practices must be designed and implemented to achieve improvements in water quality and compliance with the conditions in the Waivers and the State and Regional Board Plans and Policies.

41. The Regional Board is in the process of developing a 10-year implementation program, with respect to discharges from irrigated lands, for achieving water quality objectives in the waters of the state within the Central Valley Region. This implementation program includes, but is not limited to, the implementation and enforcement of this Resolution, Waiver and associated Monitoring and Reporting Programs, water quality monitoring of discharges from irrigated land and affected surface water, and preparation of an EIR to evaluate currently available and new information and evaluate alternatives for achieving water quality objectives, protecting the beneficial uses of waters of the state, and preventing nuisance. Public scoping meetings have been held in Fresno and Sacramento to refine the scope of the EIR. Cleanup and Abatement Account resources have been made available to complete the EIR. The Request for proposal is being developed to select a contractor to complete the EIR.
42. A Coalition Group or an individual Discharger may apply for coverage under the Waivers as specified in the appropriate Waiver. The Coalition Group or individual Discharger must submit a complete Notice of Intent (NOI), **Attachment D** (D.1 – Coalition Group NOI and D.2 – Individual Discharger NOI), to comply with the conditions of the Waivers in a formatted means as approved by the Executive Officer. Upon submittal of a complete and approved NOI, the individual Discharger or Coalition Group will be considered covered under the Waiver and the Executive Officer will issue a Notice of Applicability (NOA).
43. Attached to the Resolution is the Coalition Group Waiver entitled **Attachment B - Coalition Group Conditional Waiver of Waste Discharge Requirements**. This Waiver describes the terms and conditions that apply to Coalition Groups or similar entities that represent individual Dischargers as a common group.
44. Attached to the Resolution is the Conditional Waiver for individual Dischargers entitled **Attachment C - Conditional Waiver for Individual Discharger Conditional Waiver of Waste Discharge Requirements**. This Waiver describes the terms and conditions that apply to individual Dischargers.
45. Compliance with Waiver conditions may be obtained by individual Dischargers on behalf of themselves and/or by Coalition Groups on behalf of their member

Dischargers.

46. Individual Dischargers are not required by the Regional Board to join a Coalition Group to be covered by this Resolution and Waivers. Individual Dischargers who choose not to participate in a Coalition Group may file for coverage under the Individual Conditional Waiver or file a ROWD for individual Waste Discharge Requirements.
47. This Resolution and its Waivers may be terminated at any time by the Regional Board and may be revised by the Regional Board after a public hearing. The Executive Officer may terminate the applicability of these Waivers with respect to a specific Discharger or Coalition Group upon notice to the Discharger or Coalition Group.
48. Interested persons were notified that the Regional Board will consider the adoption of a Resolution, which conditionally waives WDRs for discharges from irrigated lands, including irrigation wastewater and/or stormwater, to surface waters as described in this Resolution and Waivers and were provided an opportunity for a public hearing and an opportunity to submit written comments.
49. In a public hearing, all comments pertaining to the Resolution and Waivers were heard and considered.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

50. For purposes of adoption of this Resolution, the Regional Board is the lead agency pursuant to the California Environmental Quality Act (CEQA)(Public Resources Code sections 21100 et seq.). On 5 December 2002, the Regional Board approved an Initial Study and Negative Declaration in Resolution No. R5-2002-0201. The Resolution modifies the Conditional Waiver contained in Resolution No. R5-2002-0201 but does not substantially change the project considered in the Initial Study and Negative Declaration. There are additional documents that clarify the basis for this waiver. These documents are attached to Resolution No. R5-2003-0103 which approves the Initial Study and adopted a Negative Declaration with the clarifications. Consistent with Title 14 California Code of Regulations section 15073.5(c) it is not necessary to recirculate the Initial Study and Negative Declaration.

THEREFORE BE IT RESOLVED:

1. Resolution No. R5-2002-0201, dated 5 December 2002, adopting the Conditional Waiver is hereby rescinded.
2. The goal of this Resolution and its Waivers is to improve and protect water quality by providing a program to manage discharges from irrigated lands that cause or contribute to conditions of pollution or nuisance as defined in Section 13050 of the California Water Code or that cause or contribute to exceedances of any Regional or State Board numeric or narrative water quality standard by reducing discharges of waste.
3. Pursuant to California Water Code sections 13263, 13267 and 13269, Dischargers (Coalition Groups or individual Dischargers) of irrigation wastewater, wastewater and/or stormwater from irrigated lands to waters of the state, who file for coverage under the Waivers in order to meet the provisions contained in California Water Code Division 7 and regulations and plans and policies adopted thereunder, and who request waiver of waste discharge requirements shall comply with the terms and conditions contained in Coalition Group Conditional Waiver of Waste Discharge Requirements, **Attachment B** or Individual Discharger Conditional Waiver of Waste Discharge Requirements, **Attachment C**.
4. A discharger who discharges any waste not specifically regulated by this Waiver may not discharge such waste except in compliance with the CWC.
5. The Regional Board waives the submittal of a ROWD and WDRs for discharges from irrigated land if the discharger complies with the Conditional Waivers of Waste Discharge Requirements for Discharges from Irrigated Lands, attached to this Resolution and associated Monitoring and Reporting Programs.
6. Dischargers, Coalition Groups and the individual Dischargers participating in the Coalition Groups shall take action to comply with the terms and conditions of the Waivers adopted by this Resolution and improve and protect waters of the state.
7. This Waiver shall not create a vested right and all such discharges shall be considered a privilege, as provided for in CWC Section 13263.
8. Pursuant to CWC Section 13269, this action waiving the issuance of waste discharge requirements for certain specific types of discharges: (a) is conditional, (b) may be terminated at any time, (c) does not permit an illegal activity, (d) does not preclude the need for permits which may be required by other local or governmental agencies, and (e) does not preclude the Regional Board from administering enforcement remedies (including civil liability) pursuant to the CWC.

RESOLUTION NO. R5-2003-0105
CONDITIONAL WAIVER OF
WASTE DISCHARGE REQUIREMENTS
FOR DISCHARGES FROM IRRIGATED
LANDS WITHIN THE CENTRAL VALLEY REGION

- 12 -

9. A waiver of WDRs for a type of discharge may be superseded by the adoption by the State Board or Regional Board of specific waste discharge requirements or general waste discharge requirements for this type of discharge.
10. The Regional Board may review this Resolution and these Waivers at any time and may modify or terminate the Waivers in their entirety or for individual Dischargers or Coalition Groups, as is appropriate.
11. The Regional Board directs the Executive Officer to provide regular updates to the Regional Board regarding the effectiveness of the conditional Waivers to regulate these types of discharges. These updates may include: Executive Officer Reports, memorandums, staff reports, workshops, and agenda items.
12. The Regional Board directs the Executive Officer to bring back for consideration at the January 2004 Regional Board meeting this Waiver for termination or other revisions as appropriate.
13. The Regional Board directs the Executive Officer to advise the Regional Board on the development of a technical advisory committee with respect to monitoring requirements that includes appropriate interested persons and reports its conclusions to the Regional Board.
14. This Resolution and Waivers shall become effective **11 July 2003** and expire **31 December 2005** unless rescinded, renewed or extended by the Regional Board.

I, THOMAS R. PINKOS, 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 11 July 2003.

/S/
THOMAS R. PINKOS, Executive Officer

Revised: 7/24/03