

STATE WATER RESOURCES CONTROL BOARD

**RESOLUTION NO. 2006 – 0008**

REVISION TO SOURCES OF DRINKING WATER POLICY TO ESTABLISH A SITE-SPECIFIC EXCEPTION FOR OLD ALAMO CREEK

WHEREAS:

1. The State Water Resources Control Board (State Water Board) adopted the Sources of Drinking Water Policy (Policy) in 1988 in [Resolution No. 88-63](#) ([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/](https://www.waterboards.ca.gov/board_decisions/adopted_orders/)).
2. In 2002, the State Water Board reviewed waste discharge requirements for the City of Vacaville's Easterly Wastewater Treatment Plant on the State Water Board's own motion and adopted [Water Quality Order 2002-0015 \(Vacaville Order\)](#) ([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/wqo02.shtml](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/wqo02.shtml)). Vacaville discharges treated effluent from the Easterly plant to Old Alamo Creek. In the Vacaville Order, the State Water Board concluded that drinking water supply (MUN) is not an existing beneficial use for Old Alamo Creek and that it probably cannot be feasibly attained in the future. The State Water Board committed to consider a site-specific exception from State Water Board Resolution No. 88-63 (Source of Drinking Water Policy) for the creek if the Central Valley Regional Water Quality Control Board (Central Valley Water Board) amended its Water Quality Control Plan (Basin Plan) to dedesignate MUN as a beneficial use for the creek.
3. On April 28, 2005, the Central Valley Water Board adopted Resolution No. [R5-2005-0053](#) ([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/resolutions/r5-2005-0053.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2005-0053.pdf)), which amended its Basin Plan to dedesignate the MUN use for Old Alamo Creek.
4. The Central Valley Water Board's Final Staff Report (April 2005) for the amendment indicates that ephemeral, intermittent, or low flows together with hydrologic modifications prevent MUN from being attained in Old Alamo Creek. Further, releasing additional treated sewage effluent from Vacaville's treatment plant will not allow MUN to be attained. The State Department of Health Services classifies Old Alamo Creek as an extremely impaired source for drinking water supply. Both quality concerns and the public's general unwillingness to accept the use of effluent for direct potable supply make it unlikely that the creek will support MUN in the future.
5. The Policy states that all State waters are considered suitable or potentially suitable for MUN with certain exceptions. The State Water Board concluded in the Vacaville Order that none of the Policy's exceptions specifically applied to Old Alamo Creek.
6. Nevertheless, a site-specific exception to the Policy is appropriate because MUN is not an existing use for the creek nor can this use be feasibly attained in the future. Although the Policy's exceptions do not specifically apply, the circumstances for Old Alamo Creek are similar to the bases for several exceptions in the Policy (e.g., the exceptions for modified channels and for sources with low yield).

7. On January 18, 2006, the State Water Board held a public hearing on the proposed revision to the Policy.
8. The State Water Board found that the action under consideration is not a "project" within the meaning of Public Resources Code section 21065, in that it has no potential to result in either a direct or reasonably foreseeable indirect change to the physical environment, and, therefore, this action is exempt from the requirements of the California Environmental Quality Act.

**THEREFORE BE IT RESOLVED THAT:**

The State Water Board revises the Policy as indicated in the attached copy of the Policy.

**CERTIFICATION**

The undersigned, Acting 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 Board held on February 1, 2006.

AYE:                      Tam M. Doduc  
                                 Richard Katz  
                                 Gerald D. Secundy

OPPOSED:                None

ABSENT:                 Arthur G. Baggett, Jr.

ABSTAIN:                None



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Selica Potter  
Acting Clerk to the Board