

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

RESOLUTION No. R2-2017-0012

**APPROVAL OF RECOMMENDATIONS FOR THE
FEDERAL CLEAN WATER ACT
SECTION 303(d) LIST**

WHEREAS, the California Regional Water Quality Control Board, San Francisco Bay Region (Water Board) finds that:

1. The California Integrated Report includes the requirements of Clean Water Act (CWA) sections 305(b) and 303(d).
2. Section 305(b) of the CWA requires states to monitor, assess, and submit biennially to the U.S. Environmental Protection Agency (U.S. EPA) a report assessing statewide surface water quality.
3. Section 303(d) of the CWA and Title 40, Code of Federal Regulations, section 130.7 require states to develop and submit to U.S. EPA for approval a list of impaired waters, or water bodies for which water quality standards (beneficial uses and water quality objectives) are not attained, or are not expected to be attained, with the implementation of certain technology-based controls. This list is commonly referred to as the "303(d) List" or the "List of Impaired Waters."
4. The 303(d) List must include a description of the pollutants causing impairment and a completion date for ranking the development of a Total Maximum Daily Load (TMDL) for each pollutant.
5. Only the 303(d) List portion of the California Integrated Report requires approval by the State Water Resources Control Board (State Water Board) and U.S. EPA. (33 U.S.C. § 1313(d)(2).) Approval of the 305(b) Report portion of the California Integrated Report is not required. (33 U.S.C. § 1315(b)(1).)
6. The process for developing and approving the 303(d) List, including requests for review of specific listing recommendations by a Regional Water Board, is outlined in the State Water Board's Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List (Listing Policy).
7. Upon approval, the Water Board's recommended 303(d) List is submitted to the State Water Board and compiled into a statewide 303(d) List. The statewide 303(d) List is subject to the approval of the State Water Board and U.S. EPA.
8. After reviewing all relevant evidence submitted before or during the comment period for the Water Board's 2016 Integrated Report, Water Board staff has:
 - For 305(b), made overall beneficial use support ratings for the water bodies that have been assessed for this 2016 assessment cycle. Categories 1, 2, 3, and 4c of the Water Board's Integrated Report reflect the outcome of the overall use support ratings.

- For 303(d), made recommendations to add, remove, or modify the 303(d) List for the San Francisco Bay Region. The 303d List is reflected in categories 4a, 4b, and 5 of the Integrated Report.
9. The Water Board released for public comment a draft recommended 2016 Integrated Report for the San Francisco Bay Region on February 10, 2017, and a revised recommended 2016 Integrated Report on April 5, 2017, which included written responses to comments received by the March 13, 2017, deadline.
 10. No action is required by the Water Board for staff's assessment of non-impaired water bodies under section 305(b).
 11. On April 12, 2017, the Water Board held a Public Hearing to consider and approve the recommendations for the 2016 303(d) List for the San Francisco Bay Region. The Water Board considered all evidence provided by Water Board staff and the public.

THEREFORE BE IT RESOLVED THAT:

1. The Water Board hereby approves the recommendations for the 2016 303(d) List for the San Francisco Bay Region.
2. The Executive Officer is to transmit the Water Board's recommendations for the 2016 Integrated Report, with its supporting information and evidence, to the State Water Board for its consideration and incorporation into the final statewide 2016 California Integrated Report.
3. In accordance with sections 6.2 and 6.3 of the Listing Policy, before the Executive Director of the State Water Board or the State Water Board approves the statewide 303(d) List, the State Water Board shall provide advance notice and opportunity for public comment. The State Water Board will only consider timely public comment on the waters affected by the Water Board's listing recommendations, unless the Executive Director or the State Water Board elects to consider recommendations on other waters. To request that the State Water Board or Executive Director should review specific listing recommendations approved by the Water Board, the request must be submitted to the State Water Board within 30 days after the Water Board's approval.

CERTIFICATION

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the Water Board, San Francisco Bay Region, on April 12, 2017.

Bruce H. Wolfe
Executive Officer