

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2004-0062**

**ADOPTION OF THE 2004 STAFF REPORT REGARDING PERIODIC REVIEW OF
THE 1995 WATER QUALITY CONTROL PLAN FOR THE SAN FRANCISCO
BAY/SACRAMENTO-SAN JOAQUIN DELTA ESTUARY**

WHEREAS:

1. The State Water Resources Control Board (SWRCB) is responsible for the regulation of activities and factors that may affect the quality of the waters of the State (Wat. Code sections 13000, 13001.)
2. The SWRCB adopted a water quality control plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (1995 Plan) in resolution 95-24. The 1995 Plan was adopted by the SWRCB to establish water quality control measures that contribute to the protection of beneficial uses in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.
3. The California Water Code and the federal Clean Water Act require, respectively, a periodic and a triennial review of water quality objectives or standards under Water Code sections 13170 and 13240 and under section 303(c)(1) of the federal Clean Water Act (33 USC § 1313(c)(1)).
4. The SWRCB began this review of the 1995 Plan by issuing a notice of public workshop on December 10, 2003, for a workshop that the SWRCB held on January 8, 2004.
5. The SWRCB received comments from interested parties during, and immediately after, the January 8, 2004 workshop.
6. The SWRCB staff have prepared a Staff Report addressing the issues noted in the comments.
7. Based on review of the comments, as well as analysis of the issues, the Staff Report recommends that the SWRCB receive further information to help it decide whether to amend the following parts of the 1995 Plan:
 - a. Delta Outflow objectives
 - b. River Flow objectives: Sacramento River at Rio Vista
 - c. River Flow objectives: San Joaquin River at Airport Way Bridge, Vernalis: February-April 14 and May 16-June
 - d. Export limit objectives
 - e. San Joaquin River at Airport Way Bridge, Vernalis: 31 day Pulse Flow objectives for April 15 – May 15
 - f. Southern Delta Electrical Conductivity objectives

- g. Chloride Objectives, Compliance Location at Contra Costa Canal at Pumping Plant #1, and Potential New Objectives
 - h. Salmon protection objective
 - i. Delta cross channel gates closure objective
 - j. The water quality compliance and baseline monitoring program
 - k. Other parts of the Program of Implementation
8. In addition to recommending consideration of changes in the above parts of the 1995 Plan, the Staff Report recommends that the Program of Implementation section of the 1995 Plan be amended as necessary to address implementation of any new or revised objectives that may be adopted in any plan amendment or revised Plan.
 9. The Staff Report recommends that the following matters should not be considered for changes or new objectives at this time:
 - a. Dissolved oxygen objectives
 - b. Other issues not related to the setting of water quality objectives in the Bay or Delta.
 - c. San Joaquin River electrical conductivity upstream of Vernalis
 - d. Water level objectives
 - e. Western Suisun Marsh salinity objectives
 - f. Year round flow objectives on the San Joaquin River
 10. The Staff Report includes a plan of work that recommends that the SWRCB proceed immediately to conduct informational workshops to receive detailed technical information on the matters that the Staff Report recommends be considered for changes.
 11. Based on the information received during the periodic review and the additional information to be received during future workshops addressing the issues listed in paragraph 6 above, the SWRCB staff will recommend any needed amendments and will prepare draft plan amendments or a draft revised plan for consideration by the SWRCB, and any required environmental documentation. At that time interested parties will have the opportunity, at a public hearing, to comment on staff's recommendations and on the environmental analysis. After the hearing, the SWRCB staff will prepare responses to comments. Subsequently, the SWRCB will hold a Board meeting to consider adopting any proposed changes.

THEREFORE, BE IT RESOLVED:

1. That the SWRCB adopts the Staff Report regarding periodic review of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento – San Joaquin Delta Estuary and authorizes the Executive Director to transmit the Report to the U.S. Environmental Protection Agency (USEPA), Region 9, in compliance with section 303(c)(1) of the federal Clean Water Act.

2. That the SWRCB affirms that the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento – San Joaquin Delta Estuary, as it currently exists, remains effective until such time as it is changed by formal action of the SWRCB.

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 September 30, 2004.



Debbie Irvin
Clerk to the Board