

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION 2015-0021**

APPROVING THE CLEAN WATER ACT SECTION 303(d) LIST PORTION OF THE
PROPOSED 2012 CALIFORNIA INTEGRATED REPORT

WHEREAS:

1. Section 303(d)(1) of the Clean Water Act (CWA) (33 U.S.C. § 1313(d)) requires states to regularly identify surface waters that do not meet applicable water quality standards after technology-based controls have been implemented (referred to as the 303(d) List) and prioritize such surface waters for the purposes of developing total maximum daily loads (40 C.F.R. § 130.7(b)). The states are required to submit their section 303(d) List biennially to the United States Environmental Protection Agency (U.S. EPA) (40 C.F.R. § 130.7(d)).
2. The proposed 303(d) List is a compilation of the 303(d) Lists approved by the Regional Water Quality Control Boards (Regional Water Boards) for the North Coast, Lahontan, and Colorado River regions. Such approval occurred subsequent to advance notice to the public and opportunity for written comment, written responses provided to those comments, and after consideration of all testimony.
3. The State Water Board has made recommendations to add, remove, or change the list of waterbody-pollutant combinations on the proposed 303(d) List portion of the 2012 California Integrated Report.
4. The State Water Board and the Regional Water Boards complied with the Water Quality Control Policy for Developing California's CWA Section 303(d) List (Listing Policy) in developing the proposed 303(d) List.
5. In developing the proposed 303(d) List, the Regional Water Boards and the State Water Board considered all readily available data and information for the North Coast, Lahontan, and Colorado River Regional Water Boards.
6. On December 31, 2014, the State Water Board provided the public with requisite notice of its opportunity to comment on the proposed 303(d) List.
7. The State Water Board considered the written comments received on the proposed 303(d) List portion of the 2012 California Integrated Report and provided written responses to the written comments timely received.
8. On April 8, 2015, the State Water Board held a meeting to receive oral comments on the proposed 303(d) List.
9. In addition to the 303(d) List, the CWA requires states to report on the health of all its water, a report known as the 305(b) Report. The State Water Board combines its CWA sections 303(d) and 305(b) reporting requirements into an "Integrated Report."

10. The 2012 California Integrated Report, which contains the proposed 303(d) List and 305(b) Report, is available on the State Water Board's website at:
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2012.shtml.
11. Only the 303(d) List portion of the 2012 Integrated Report requires approval by the State Water Board and U.S. EPA.
12. The State Water Board's approval of the 303(d) List is not a "project" subject to the California Environmental Quality Act because such action has no potential to result in a "direct physical change in the environment, or a reasonably foreseeable indirect physical change on the environment" (Pub. Res. Code § 21065). The 303(d) List satisfies reporting requirements of the CWA and provides information for setting priorities for future actions.

THEREFORE, BE IT RESOLVED THAT:

The State Water Board:

1. Approves the [303\(d\) List portion of the 2012 California Integrated Report](#).
2. Authorizes the Executive Director or designee to transmit the attached 2012 California Integrated Report and other supporting information to the U.S. EPA for approval of the 303(d) List portion of the 2012 California Integrated Report.

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 approved at a meeting of the State Water Resources Control Board held on April 8, 2015.

AYE: Vice Chair Frances Spivy-Weber
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: Chair Felicia Marcus

ABSTAIN: Board Member Tam M. Doduc

Jeanine Townsend
Clerk to the Board