CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
RESOLUTION NO. R5-2019-0046

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

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

1. The California Integrated Report includes the requirements of Federal Clean Water Act (CWA) Section 305(b) and Section 303(d).

2. Section 305(b) of the CWA requires States to monitor, assess and submit biennially to the U.S. Environmental Protection Agency (USEPA) 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. The process for developing and approving the 303(d) List, including requests for review of specific listing recommendations by a Regional Water Quality Control Board (Regional Water Board), is outlined in the *Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List (Listing Policy)*.

6. Upon approval, the Central Valley Water Board's recommended 303(d) List is submitted to the State Water Resources Control Board (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 the USEPA.

7. The Central Valley Water Board's 303(d) List was last substantively updated as part of the 2014-2016 Integrated Report on 5 December 2016 and was approved by the State Water Board and USEPA on 3 October 2017 and 6 April 2018, respectively.

8. By letter dated 15 July 2013, the State Water Board informed the USEPA of its strategy for a more efficient and successful CWA 303(d)/305(b) Integrated Report process for California, which divides California into thirds by Regional Water Quality Control Boards (Regional Water Boards). The State of California Integrated Report now occurs on a rotating basis for three Regional Water

Boards at once. The Central Valley Water Board is next scheduled to complete a full assessment of all readily available data for surface waters in the Central Valley Region during the 2020 Integrated Report cycle.

9. The State Water Board supports the Regional Water Boards in conducting CWA Section 305(b) and/or 303(d) List update(s) "off-cycle", before their next regularly scheduled Integrated Report periods. To be efficient, off-cycle updates should be limited to priority waterbodies, pollutants, or combinations thereof as identified by the Regional Water Boards, with reallocation of resources as appropriate.

10. The Central Valley Water Board is recommending a focused set of changes to the 303(d) List (Regional Water Board 2018 303(d) List), including category updates and de-listings of a few select waterbodies.

11. The Central Valley Water Board released a draft staff report with recommended changes to the CWA 303(d) List on 28 March 2019 for public comment. The final staff report with recommended changes to the CWA 303(d) List, which included written responses to comments received by the 28 April 2019 deadline, was released on 28 May 2019.

12. On 7 June 2019, the Central Valley Water Board held a Public Hearing to consider the recommendations for the 2018 303(d) List for the Central Valley Region. The Water Board considered all evidence provided by Water Board staff and the public.

THEREFORE BE IT RESOLVED THAT:

1. The Central Valley Water Board hereby approves the recommendations for the 2018 303(d) List for the Central Valley Region.

2. The Executive Officer is to transmit the Central Valley Water Board's proposed recommendations for the 2018 Integrated Report with its supporting information and evidence including approved revisions, to the State Water Board for its consideration and incorporation into the final 2018 California Integrated Report.

3. Upon approval of the 2018 California Integrated Report by the State Water Board and the USEPA, staff will implement the approved Integrated Report for Central Valley water bodies, including the approved 303(d) List.

4. 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 will provide advance notice and opportunity for public comment. The State Water Board will only consider timely public comment on the waters affected by the Regional 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 Regional Water Board, the request must be submitted to the State Water Board within 30 days after the Regional Water Board's approval.

I, PATRICK PULUPA, 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 7 June 2019.

PATRICK PULUPA, Executive Officer