

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WQ 2011-0012-EXEC

In the Matter of the Petition of

**ENVIRONMENTAL LAW FOUNDATION
AND
CALIFORNIA SPORTFISHING PROTECTION ALLIANCE**

For Review of Waste Discharge Requirements Order No. R5-2007-0036 and Time Schedule
Order No. R5-2007-0037 [NPDES No. CA0079154] for the City of Tracy Wastewater Treatment
Plant, San Joaquin County
Issued by the
California Regional Water Quality Control Board,
Central Valley Region

SWRCB/OCC FILE A-1846(a) and A-1846(b)

BY THE EXECUTIVE DIRECTOR:¹

On June 1, 2011, the Superior Court for Sacramento County (Court) entered a judgment and peremptory writ of mandate in the matter of *City of Tracy v. State Water Resources Control Board*, Case No. 34-2009-8000-392-CU-WM-GDS. The peremptory writ is attached as Exhibit 1. By order of the Court, State Water Resources Control Board Order No. WQ 2009-0003 (Order) is hereby set aside in part as required by the attached writ. Attached as Attachment A to Exhibit 1 is a strikeout version of the Order, with the strikeout text showing those portions of the Order set aside in accordance with the writ. All other provisions of the Order remain in effect.

Waste Discharge Requirements Order No. R5-2007-0036 and Time Schedule Order No. R5-2007-0037 [NPDES No. CA0079154] For The City Of Tracy Wastewater Treatment Plant, San Joaquin County are remanded to the California Regional Water Quality Control Board, Central Valley region (Central Valley Water Board). The Central Valley Water Board is directed to take further actions consistent with the Court's judgment and writ.

This order is not precedential.

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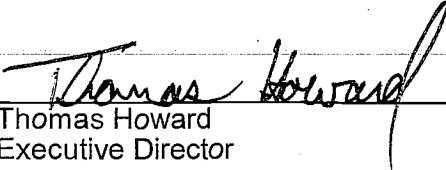
¹ Pursuant to State Water Board Resolution 2002-0104, "[t]he Executive Director may set aside a[] [State Water Resources Control Board] decision or order, in whole or in part, as commanded by a peremptory writ of mandate issued to the [State Water Resources Control Board]." (Res. No. 2002-0104, Resolved ¶ 6.)

ORDER

IT IS HEREBY ORDERED THAT Order No. WQ 2009-0003 is set aside in part as required by the Judgment and Writ.

SEP 01 2011

Date


Thomas Howard
Executive Director