California Regional Water Quality Control Board
Central Valley Region

Water Quality Control Plan for the Tulare Lake Basin Second Edition

Revised January 2004 (wtih Approved Amendments)

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III. WATER QUALITY OBJECTIVES

The Porter-Cologne Water Quality Control Act defines water quality objectives as "...the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area" {Water Code Section 13050(h)}. It also requires the Regional Water Board to establish water quality objectives, while acknowledging that it is possible for water quality to be changed to some degree without unreasonably affecting beneficial uses. In establishing water quality objectives, the Regional Water Board must consider, among other things, the following factors:

- Past, present, and probable future beneficial uses;
- Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto;
- Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
- Economic considerations;
- The need for developing housing within the region;
- The need to develop and use recycled water. {Water Code Section 13241}

The federal Clean Water Act requires a state to submit for approval of the Administrator of the U. S. Environmental Protection Agency (USEPA) all new or revised water quality standards which are established for surface and ocean water. The ground water objectives contained in this plan are not required by the federal Clean Water Act. In California, water quality standards are either water body specific or are based on beneficial uses designated for a water body and the water quality objectives that protect those uses.

There are six important points about water quality objectives. The first point is that water quality objectives can be revised through the basin plan amendment process. Objectives may apply region-wide or specifically to individual water bodies or parts of water bodies. Site-specific objectives may be developed if the Regional Water Board believes they are appropriate. Federal regulations require the review of water quality standards at least every three years. These "Triennial Reviews" provide one opportunity to evaluate the effectiveness of existing water quality objectives because the reviews begin with an identification of potential and actual water quality problems. The results of the Triennial Review are used to identify and prioritize Regional Water Board actions to achieve objectives and protect beneficial uses. Actions include assessment, remediation, monitoring, or whatever else may be appropriate, to address water quality problems. For example, a beneficial use may be impacted because the existing water quality objective is inadequate. This water quality objective should be re-evaluated and a proper objective should be amended into the Basin Plan, along with a plan and schedule for attainment. In other cases, the existing water quality objective may be adequate and it may be necessary to develop new implementation strategies to address the problem.

Changes to a water quality objective can also occur because of new scientific information on the effects of a specific waste constituents. A major source of information is USEPA data on the effects of chemical and other constituent concentrations on particular aquatic species and human health. Other common information sources for data on protection of beneficial uses include the National Academy of Science, which has published data on bioaccumulation, and the federal Food and Drug Administration, which has issued criteria for unacceptable levels of chemicals in fish and shellfish used for human consumption. The Regional Water Board may also make use of other state or federal agency information sources when assessing new or revised water quality objectives.

The second point is that achievement of water quality objectives depends on applying them to regulate controllable water quality factors, although regulating controllable water quality factors may not necessarily cause water quality objectives to be achieved. Controllable water quality factors are those actions, conditions, or circumstances resulting from human activities that may influence the quality of the waters of the State, that are subject to the authority of the State Water Board or the Regional Water Board, and that may be reasonably controlled. These factors are subject to the authority of the State Water Board or the Regional Water Board. Controllable factors are not allowed to degrade water quality unless it is demonstrated that degradation is consistent with maximum benefit to the people of the State. In no cases may controllable water quality factors unreasonably affect present and anticipated beneficial uses of water nor result in water quality less than that prescribed in water quality control plans and policies. In instances where uncontrollable factors have already resulted in

Appendix 29, which is incorporated by reference into this plan). Sedimentation caused by mining can be addressed by discharge requirements for existing mines, but the Regional Water Board does not have a specific program for controlling erosion from abandoned mines.

Title 23, California Code of Regulations (CCR), Division2, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1 contains standards to protect both surface and ground waters from discharge of mining wastes. Surface and subsurface drainage systems should be installed to prevent or minimize contact between water and any minerals that will impair the quality of water draining from the mine. Mine tailing piles must be prevented from eroding.

Additional environmental protection regulations are found in Title 14, California Code of Regulations, Division 2, Chapter 8, Subchapter 1.

Discharges of dredge spoils and process discharges from sand and gravel operations to surface waters shall be regulated by a National Pollutant Discharge Elimination System (NPDES) permit. In addition, these operations are also subject to storm water regulations. Operators must submit a Notice of Intent to comply with the General Industrial Activities Storm Water Permit or obtain an individual NPDES permit.

Requirements for small, short-term discharges confined to land from sand and gravel operations may be waived.

Erosion

Erosion is one of the greatest problems in the watershed area. Erosion is a natural occurrence, but most activities of man accelerate the process. Erosion causes discoloration of streams, and the suspended matter settles to form a smothering blanket on the stream bed. Erosion is accelerated by poor drainage and soil stabilization associated with the following activities: road building, clearing land, leveling land, construction, logging, brush clearing, off-road vehicle use, agriculture, overgrazing, and fires.

Disturbance of soil, vegetation, organic debris, and other materials that control runoff should be minimized. The Regional Water Board's policies on soil disturbance activities are as follows:

- Operations and activities should be planned and conducted in a manner that will not disturb extensive areas of soil or that will disrupt local drainage.
- Areas where soil is disturbed should be promptly reseeded or stabilized to prevent erosion.
- Strict regulation of activities in water protection zones, as described above in the "Silviculture" section, should be established.
- The stream flow regimen should be stabilized and maintained, and soil control measures should be applied in a timely manner.
- Neither organic nor earthen material should be discharged into any streams nor should such materials be placed at locations where they can pass into streams in quantities that could impair any beneficial use of the water.
- Operations and activities that cause increased turbidity levels in local streams must be regulated so that streams are not affected for extended periods or for more than ten percent of the time and operations and activities shall not violate water quality objectives.

Erosion control guidelines are included in the erosion/sedimentation action plan which is Appendix 30 and is incorporated by reference into this plan.

Recreation

Recreational activity can cause water quality problems. Boating can cause waves which increase lake bank erosion. Other potential water quality impacts may result from boat exhausts and oils entering the water, human secretions and excretions, various waste disposal activities, or cleaning fish and other activities. In certain intensive use areas without sufficient toilet facilities, a reach of stream bank or section of trail may be marked with closely interspersed fecal deposits, a direct threat both from contact and from ready transport into surface stream channels. Another problem is the disposal of material from vault privies or chemical toilets. Most installations are far removed from conventional waste treatment plants; thus, the use of such facilities for disposal is impractical. Climate, geology, and other factors become critical when considering local disposal as a part of routine maintenance. Some installations are considering use of flush toilets and a package, biological treatment system. Such systems must meet the requirements of a domestic wastewater treatment facility (See the "Discharges to Land" subsection of the "Municipal and Domestic Wastewater" section).

regulated with individual, site-specific NPDES permits. The Regional Water Board will issue waste discharge requirements on the discharge of urban runoff to land when a threat to water quality exists.

- Combined sewer systems will not be allowed without satisfactory justification.

- The Regional Water Board will require source control programs by local agencies when water quality benefits will be realized.

- Governing agencies should provide facilities for the treatment (if necessary), storage and percolation of runoff.

Hazardous and Non-Hazardous Waste Disposal

Discharges of solid, semi-solid, and liquid wastes to landfills, waste piles, surface impoundments, pits, trenches, tailings ponds, natural depressions, and land treatment facilities (collectively called "waste management units") have the potential to become sources of pollution affecting the quality of waters of the state. Unlike surface waters which often have the capacity to assimilate discharged waste constituents, ground waters have little or no assimilative capacity due to their slow migration rate, lack of aeration, lower biological activity, and laminar flow patterns. If concentrations of waste constituents in land-discharged waste are sufficiently high to prevent the waste from being classified as "inert waste" under 27 CCR, Section 20230, discharges of such wastes to waste management units require long-term containment or active treatment following the discharge in order to prevent waste or waste constituents from migrating to and impairing the beneficial uses of waters of the state. Pollutants from such discharges may continue to affect water quality long after the discharge of new waste to the unit has ceased, either because of continued leachate or gas discharges from the unit, or because pollutants have accumulated in underlying soils from which they are gradually released to ground water.

Landfills for disposal of municipal or industrial solid waste (solid waste disposal sites) are the major categories of waste management units in the region, but there are also surface impoundments used for storage or evaporative treatment of liquid wastes, waste piles for the storage of solid wastes, and land treatment units for the biological treatment of semi-solid sludges from wastewater treatment facilities and liquid wastes from cannery and other industrial operations. Sumps, trenches, and soil depressions have been used in the past for liquid waste disposal. Mining waste management units (tailings ponds, surface impoundments, and waste piles) also represent a significant portion of the waste management units in the Region. The Regional Water Board issues waste discharge requirements to ensure that these discharges are properly contained to protect the Region's water resources from degradation, and to ensure that dischargers undertake effective monitoring to verify continued compliance with requirements. In addition, the Toxic Pits Cleanup Act of 1984 precludes the storage or disposal of liquid hazardous wastes or hazardous wastes containing free liquid. The Regional Water Board is responsible for enforcing this Act under the authority of the Health and Safety Code, Section 25208 et seq.

These discharges, and the waste management units at which the wastes are discharged, are subject to concurrent regulation by other state and local agencies responsible for land use planning, solid waste management, and hazardous waste management. "Local Enforcement Agencies" (mainly cities and counties) implement the state's solid waste management laws and local ordinances governing the siting, design, and operation of solid waste disposal facilities (usually landfills) with the concurrence of the California Integrated Waste Management Board (Waste Management Board). The Waste Management Board also has direct responsibility for review and approval of plans for closure and post-closure maintenance of solid waste landfills. The Department of Toxic Substance Control issues permits for all hazardous waste treatment, storage, and disposal facilities (which include hazardous waste incinerators, tanks, and warehouses where hazardous wastes are stored in drums as well as landfills, waste piles, surface impoundments, and land treatment units). The State Water Board, regional water boards, Waste Management Board, and Department of Toxic Substances Control have entered into Memoranda of Understanding to coordinate their respective roles in the concurrent regulation of these discharges.

The statutes and regulations governing the discharges of both hazardous and non-hazardous wastes have been revised and strengthened in the last few years. The discharge of municipal solid wastes to land are closely regulated and monitored; however, some water quality problems have been detected and are being addressed. Solid waste water quality assessment tests and recent monitoring efforts under the State and regional water boards' Title 23, CCR, Division 2, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1 have revealed that discharges of municipal solid wastes to unlined landfills have resulted in

ground water degradation and pollution by volatile organic constituents and other waste constituents. Volatile organic constituents are components of many household hazardous wastes and certain industrial wastes that are present within municipal solid waste streams. Volatile organic constituents can easily migrate from landfills either in leachate or by vapor-phase transport. Clay liners and natural clay formations between discharged wastes and ground waters are largely ineffective in preventing water quality impacts from municipal solid waste constituents. In a recently adopted policy for water quality control, the State Water Board found the "[r]esearch on liner systems for landfills indicates that (a) single clay liners will only delay, rather than preclude, the onset of leachate leakage, and (b) the use of composite liners represents the most effective approach for reliably containing leachate and landfill gas." {State Water Board Resolution No. 93-62, Policy for Regulation of discharges of Municipal Solid Waste}

As a result of similar information on a national scale, the U. S. Environmental Protection Agency (USEPA) adopted regulations under Subtitle D of the Resource Conservation and Recovery Act (RCRA) which require the containment of municipal solid wastes by composite liners and leachate collection systems. Composite liners consist of a flexible synthetic membrane component placed above and in intimate contact with a compacted low-permeability soil component. This liner system enhances the effectiveness of the leachate collection and removal system and provides a barrier to vapor-phase transport of volatile organic constituents from the unit. Regional water boards and the Waste Management Board are implementing these new regulations in California under a policy for water quality control from the State Water Board (Resolution No. 93-62) and regulations from the Waste Management Board. The State Water Board adopted revised regulations in 27 CCR, Division 2, Subdivision 1 to fully implement water quality-related portions of the RCRA, Subtitle D federal regulations.

Inert waste does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and does not contain significant quantities of decomposable waste. Some examples of inert wastes include: concrete rubble and excess clean earth fill. Inert wastes do not necessarily need to be disposed of at classified waste management units, but waste discharge requirements may be issued for their discharge at the discretion of the Regional Water Board.

Other Discharge Activities

Some remaining discharges of concern include small hydroelectric facility development, dredging and dredging spoils runoff.

The energy crisis of the 1970s resulted in a surge of small hydroelectric facility development in the mountains and foothills. Impairments to beneficial uses may occur from this type of stream development because of erosion from construction and changes in water temperature. The Regional Water Board has published guidelines for small hydroelectric facilities (see Appendix 31, which is included by reference into this plan) to help address some of the problems associated with small hydroelectric plants.

Dredging can result in turbidity and the reintroduction and resuspension of harmful metal or organic materials. This latter effect occurs directly as a result of the displacement of sediment at the dredging site and indirectly as a result of erosion of dredge spoil to surface waters at the deposition site. The Regional Water Board currently regulates dredging operations on a case-by-case basis. Operational criteria may result from permits or the water quality certification requirements stemming from Section 401(a) of the Clean Water Act. The opportunity may exist to regulate certain of the dredging operations under a general permit.

The Regional Water Board receives notice of spills, leaks, and overflows as they occur. These incidents are evaluated for water quality impacts and remedial actions are implemented when necessary.

THE NATURE OF CONTROL ACTIONS IMPLEMENTED BY THE REGIONAL WATER BOARD

The nature of actions to achieve water quality objectives are the following:

1. identifying potential water quality problems;

2. confirming and characterizing water quality problems through assessments of source, frequency, duration, extent, fate, and severity;

3. remedying water quality problems through imposing or enforcing appropriate measures;

4. monitoring problem areas to assess effectiveness of the remedial measures.

Generally, the actions associated with the first step consist of surveys or reviews of survey information and other data sources to isolate possible impairments of beneficial uses or water quality.

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compliance with water quality objectives, criteria or effluent limitations based on the objectives or criteria. Schedules of compliance are authorized by this provision only for those water quality objective or criteria adopted after the effective date of this provision. In accordance with Title 23, California Code of Regulations, Section 2231, compliance schedules may be included in waste discharge requirements for discharges other than from point sources to navigable waters.

For permitting purposes, it is important to clearly define how compliance with the narrative toxicity objectives will be measured. Staff is currently working with the State Water Board to develop guidance on this issue.

Ground Water Cleanups

The Regional Water Board's strategy for managing contaminated sites is guided by several important principles, which are based on Water Code Sections 13000 and 13304, the Chapter 15 regulations and State Water Board Resolution No. 92-49:

1. State Water Board Policy and Regulation

   The Regional Water Board will require conformance with the provisions of State Water Board Resolution No. 68-16 in all cases and will require conformance with applicable or relevant provisions of Title 23, California Code of Regulations, Division 3, Chapter 15 and 27 CCR, Division 2, Subdivision 1 to the extent feasible. These provisions direct the Regional Water Board to ensure that dischargers are required to cleanup and abate the effect of discharges in a manner that promotes attainment of background water quality, or the highest water quality which is reasonable and protective of beneficial uses if background levels of water quality cannot be restored.

2. Site Investigation

   An investigation of soil and ground water to determine full horizontal and vertical extent of pollution is necessary to ensure that cleanup plans are protective of water quality. The goal of the investigation shall be to determine where concentrations of constituents of concern exceed beneficial use protective levels (water quality objectives) and, additionally, where constituents of concern exceed background levels (the zero-impact line). Investigations shall extend off-site as necessary to determine the full extent of the impact.

3. Source Removal/Containment

   Immediate removal or containment of the source, to the extent practicable, should be implemented where necessary to prevent further spread of pollution as well as being among the most cost-effective remediation actions. The effectiveness of ground water cleanup techniques often depends largely on the completeness of source removal or containment efforts (e.g., removal of significantly contaminated soil or pockets of dense non-aqueous phase liquids).

4. Cleanup Level Approval

   Ground water and soil cleanup levels are approved by the Regional Water Board through the adoption of enforcement orders or waste discharge requirements. The Executive Officer may approve cleanup levels as appropriately delegated by the Regional Water Board.

5. Site Specificity

   Given the extreme variability of hydrogeologic conditions in the Region, cleanup levels must reflect site specific factors.

6. Discharger Submittals

   The discharger must submit the following information for consideration by the Regional Water Board in establishing cleanup levels which meet the criteria contained in Title 23, California Code of Regulations, Section 2550.4(c) through (g):

   a. water quality assessment to determine impacts and threats to the quality of water resources;

   b. risk assessment to determine impacts and threats to human health and the environment; and

   c. feasibility study of cleanup alternatives which compare effectiveness, cost, and time to achieve cleanup levels. Cleanup levels covered by this study shall include, at a minimum, background levels, levels which meet all applicable water quality objectives and which do not pose significant risks to health or the environment, and an alternate cleanup level which is above background levels and which also meets the requirements as specified in paragraphs 7.e. and f. below.

b. An approved cleanup program has been fully implemented and operated for a period of time which is adequate to understand the hydrogeology of the site, pollutant dynamics, and the effectiveness of available cleanup technologies;

c. Adequate source removal and/or isolation is undertaken to eliminate or significantly reduce future migration of constituents of concern to ground water;

d. The discharger has demonstrated that no significant pollutant migration will occur to other underlying or adjacent aquifers;

e. Ground water pollutant concentrations have reached asymptotic levels using appropriate technology;

f. Optimization of the existing technology has occurred and new technologies have been evaluated and applied where economically and technologically feasible; and

g. Alternative technologies for achieving lower constituent levels have been evaluated and are inappropriate or not economically feasible.

10. Soil Cleanup Levels

For soils which threaten the quality of water resources, soil cleanup levels should be equal to background concentrations of the individual leachable/mobile constituents, unless background levels are technologically or economically infeasible to achieve. Where background levels are infeasible to achieve, soil cleanup levels are established to ensure that remaining leachable/mobile constituents of concern will not threaten to cause ground water to exceed applicable ground water cleanup levels, and that remaining constituents do not pose significant risks to health or the environment. The Regional Water Board will consider water quality, health, and environmental risk assessment methods, as long as such methods are based on site-specific field data, are technically sound, and promote attainment of all of the above principles.

11. Verification of Soil Cleanup

Verification of soil cleanup generally requires verification sampling and follow-up ground water monitoring. The degree of required monitoring will reflect the amount of uncertainty associated with the soil cleanup level selection process. Follow-up ground water monitoring may be limited where residual concentrations of leachable/mobile constituents in soils are not expected to impact ground water quality.

12. Remaining Constituents

Where leachable/mobile concentrations of constituents of concern remain onsite in concentrations which threaten water quality, the Regional Water Board will require implementation of applicable provisions of Title 23, CCR, Division 3, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1. Relevant provisions of Title 23, CCR, Division 3, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1 which may not be directly applicable, but which address situations similar to those addressed at the cleanup site will be implemented to the extent feasible, in conformance with Title 27, CCR, Section 20090(d). This may include, but is not limited to, surface or subsurface barriers or other containment systems, pollutant immobilization, toxicity reduction, and financial assurances.

Dilution

Neither surface nor ground waters shall be used to dilute wastes for the primary purpose of meeting waste discharge requirements, where reasonable methods for treating the wastes exist. Blending of wastewater with surface or ground water to promote beneficial reuse of wastewater in water short areas may be allowed where the Regional Water Board determines such reuse is consistent with other regulatory policies set forth or referenced herein.

Prohibitions

The Porter-Cologne Water Quality Control Act allows the Regional Water Board to prohibit certain types of discharges or discharges to certain waters {California Water Code, Section 13243}. Prohibitions may be revised, rescinded, or adopted as necessary. The prohibitions applicable to the Tulare Lake Basin are identified and described below.

Leaching Systems

Discharge of wastes from new and existing leaching and percolation systems in the following areas is prohibited:

Corcoran Fringe Area, Kings County (Order No. 77-224)
East Porterville Area, Tulare County (Order No. 75-069)

Home Garden Community Services District, Kings County (Order No. 77-20)
Kettleman City County Service Area No. 1, Kings County (Order No. 75-071)

In addition, county moratoria prohibit new septic tank disposal systems in the following areas:

Del Rio, Fresno County
Delft Colony, Tulare County
El Rancho, Tulare County
Lindcove, Tulare County
Poplar, Tulare County
Seville, Tulare County
Tonyville, Tulare County
Tooleville, Tulare County
Traver, Tulare County
Wells Tract, Tulare County
Yettem, Tulare County

Petroleum

The discharge of oil or any residuary product of petroleum to the waters of the State, except in accordance with waste discharge requirements or other provisions of Division 7, California Water Code, is prohibited.

Hazardous Waste

Any discharge that may affect water quality of hazardous waste or chemicals known to cause cancer or reproductive toxicity, except in accordance with waste discharge and other federal, state, and local requirements.

Water Quality Limited Segments (WQLSs)

WQLSs are those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate effluent limitations for point sources {40 CFR 130, et seq.}.

Additional treatment beyond minimum federal requirements will be imposed on dischargers to a WQLS. Point source dischargers will be assigned or allocated a maximum allowable load of critical pollutants. If necessary, nonpoint source discharges will be identified and reduction goals will be developed for these sources.

The list of WQLSs is updated biennially as required by the Clean Water Act Section 303(d). The current list may be obtained by contacting the Regional Water Board office.

Water Quality Assessment

A second list of water bodies comprises the Water Quality Assessment. The Assessment describes the condition of water bodies within the Tulare Lake Basin to the best of the Regional Water Board's knowledge. For water bodies with impairments (actual or suspected), a fact sheet is prepared to describe the Regional Water Board's actions or proposed actions and to estimate the costs to correct the impairments. The Assessment is updated periodically on an as-needed basis.

Waivers

State law allows Regional Water Boards to waive waste discharge requirements for a specific discharge or types of discharges where it is not against the public interest {California Water Code, Section 13269}. However, NPDES permits for discharge to surface waters may not be waived.

On 26 March 1982, the Regional Water Board adopted Resolution No. 82-036 to waive waste discharge requirements for certain discharges. The types of discharges and the limitations on the discharges which must be maintained if the waivers are to apply are shown in Table IV-2. These waivers are conditional and may be terminated at any time.

The Regional Water Board may, after compliance with the California Environmental Quality Act (CEQA), allow short-term variances from Basin Plan provisions, if determined to be necessary to implement control measures for vector and weed control, pest eradication, or fishery management which are being conducted to fulfill statutory requirements under California's Fish and Game, Food and Agriculture, or Health and Safety Codes. In order for the Regional Water Board to determine if a variance is appropriate, agencies proposing such activities must submit to the Regional Water Board project-specific information, including measures to mitigate adverse impacts.

ACTIONS RECOMMENDED FOR IMPLEMENTATION BY OTHER AGENCIES

Consistent with the Porter-Cologne Water Quality Control Act, the Basin Plan may identify control actions recommended for implementation by agencies other than the Regional Water Board {California Water Code, Section 13242(a)}.

Irrigated Agriculture

The water quality concerns from irrigated agriculture are great and the Regional Water Board cannot resolve

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V. PLANS AND POLICIES

In addition to this Basin Plan, statewide plans and policies adopted by the State Water Board direct Regional Water Board actions or clarify the Regional Water Board's intent. Agreements between other agencies and either the State or Regional Water Board also affect Regional Water Board actions. All policies, plans, and agreements may be revised. Any revision will supersede the policies, plans, and agreements described below and found in the appendices.

State Water Board Policies and Plans

Eleven State Water Board water quality control policies and five State Water Board water quality control plans direct regional water board actions. Two of the policies (Policy for the Enclosed Bays and Estuaries of California, and the Pollutant Policy Document) and three of the plans (the Ocean Plan, the Delta Plan, and the Tahoe Plan) do not apply to the Tulare Lake Basin. The applicable policies and plans are described below.

1. The State Policy for Water Quality Control

   Adopted in 1972, this policy declares the State Water Board's intent to protect water quality through the implementation of water resources management programs and serves as the general basis for subsequent water quality control policies. See Appendix 1.

2. State Water Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Water in California

   This policy, adopted on 28 October 1968, is intended to maintain high quality waters. It establishes criteria the Regional Water Board must satisfy before allowing discharges that may reduce water quality of surface or ground waters even though such a reduction will still protect beneficial uses.

   Changes in water quality may be allowed only if the change is consistent with maximum benefit to the people of the State, does not unreasonably affect present and anticipated beneficial uses, and does not result in water quality less than that prescribed in water quality control plans and policies. U. S. EPA water quality standards regulations require each state to adopt an "antidegradation" policy and specify the minimum requirements for it {40 CFR 131.12}. The State Water Board has interpreted Resolution No. 68-16 to incorporate the federal antidegradation policy. Appendix 2 contains Resolution No. 68-16, Appendix 26 contains the federal policy.

3. State Water Board Resolution No. 75-58, Water Quality Control Policy on the Use and Disposal of Inland Waters Used for Powerplant Cooling

   Adopted in June 1975, this policy prohibits discharge of blowdown waters to land unless in compliance with Title 23, California Code of Regulations, Chapter 15. The policy also prohibits the discharge of once through cooling water to surface waters unless existing water quality and aquatic resources can be maintained. Further, it sets forth seven principles that, among other things, establish higher priorities for use of water sources other than fresh inland waters. For the Tulare Lake Basin, the powerplant must investigate the feasibility of using wastewater for powerplant cooling. Regional water boards are directed to adopt requirements that contain mass emission rates that maintain existing water quality. See Appendix 3.

4. State Water Board Resolution No. 77-1, Policy and Action Plan for Water Reclamation in California

   This policy was adopted on 6 January 1977. Because reclamation provides an alternate source of water suitable for irrigation, reuse is encouraged by the State Water Board. The policy also encourages water conservation and calls for other agencies to assist in implementation. See is Appendix 4.

5. State Water Board Resolution No. 87-22, Policy on the Disposal of Shredder Waste

   This policy, adopted 19 March 1987, permits wastes produced by the mechanical destruction of

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11. State Water Board Resolution No. 2000-015, Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California" (SIP)

    In March 2000, the State Water Board adopted the SIP in Resolution No. 2000-015. This Policy establishes: (1) implementation provisions for priority pollutant criteria promulgated by the U.S. Environmental Protection Agency (U.S. EPA) through the National Toxics Rule (NTR) (promulgated on December 22, 1992 and amended on May 4, 1995) and through the California Toxics Rule (CTR40 CFR 131.38) (promulgated on 18 May 2000 and amended on 13 February 2001), and for priority pollutant objectives established by Regional Water Boards in their basin plans; (2) monitoring requirements for 2,3,7,8-TCDD equivalents; and (3) chronic toxicity control provisions. In addition, this Policy includes special provisions for certain types of discharges and factors that could affect the application of other provisions in this Policy.

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State Water Board Management Agency Agreements (MAAs), Memoranda of Understanding (MOUs), and Memoranda of Agreement (MOAs)

The Regional Water Board acts in accordance with State Water Board agreements with federal agencies and other State agencies which have been formalized with either an MAA, MOU, or an MOA.

1. U. S. Forest Service Agreement

   On 26 February 1981 the State Water Board Executive Director signed an MAA with the U. S. Forest Service (Forest Service) which waives discharge requirements for certain Forest Service nonpoint source discharges provided that the Forest Service implements State Water Board approved best management practices and procedures and the provisions of the MAA. The MAA covers all Forest Service lands in California. Implementation of the best management plans, in conjunction with monitoring and performance review requirements approved by the State and Regional Water Boards, is the primary method of meeting the Basin Plan's water quality objectives for the activities to which the best management plans apply. The MAA does not include Forest Service point source discharges and in no way limits the authority of the Regional Water Board to carry out its legal responsibilities for management or regulation of water quality. See Appendix 11.

2. Department of Health Services

   On 26 January 1986, the State Water Board signed an MOU with the Department of Health Services, now the Department of Toxic Substances Control, regarding the implementation of the hazardous waste program. The agreement covers surveillance and enforcement related to water quality at landfills, surface impoundments, waste piles, and land treatment facilities that treat, store, or dispose of hazardous waste. It also covers the issuance, modification, or denial of permits to facilities, including the revision of the water quality aspects of hazardous waste management facility siting, design, closure, post-closure, and surface and ground water monitoring and protection. See Appendix 12.

3. Department of Health Services

   In 1996, the State Water Board signed an MOA with the Department of Health Services regarding the use of reclaimed water. The MOA outlines the basic activities of the agencies, allocates primary areas of responsibility and authority between these agencies, and provides for methods and mechanisms to assure coordination for activities related to the use of reclaimed water. See Appendix 13.

4. California Department of Forestry Agreement

   In February 1988, the State Water Board signed an MAA with the California Department of Forestry and Fire Protection and the California Board of Forestry, for the purpose of carrying out, pursuant to Section 208 of the Federal Clean Water Act, those portions of the State's Water Quality Management Plan related to controlling water quality impacts caused by silvicultural activities on nonfederal forest lands. As with the Forest Service MAA, the Department of Forestry agreement requires the Department to implement certain best management plans to protect water quality from timber harvest and associated activities. Approval of the MAA as a water quality management plan component by the U. S. EPA results in the Regional Water Boards relinquishing some authority to issue waste discharge requirements for State timber operations. However, Department of Forestry and the Regional and State Water Boards must still ensure that the operations incorporate best management plans and comply with applicable water quality standards. Appendix F of the MAA also calls for the preparation of a MOU for the Regional Water Boards, the State Water Board, and the Department of Forestry to prescribe interagency procedures for implementing best management plans. See Appendix 14.

5. Department of Conservation Agreement

   A March 1988 MOA between the State Water Board and the State Department of Conservation, California Department of Oil and Gas, Gas & Geothermal Resources (Department of Conservation), outlines procedures for reporting proposed oil, gas, and geothermal field discharges and for prescribing permit requirements. The procedures are intended to provide a coordinated approach resulting in a single permit satisfying the statutory obligations of both agencies. The purpose of the new agreement is to ensure that the construction or operation of Class II injection disposal wells and the land disposal of wastewaters from oil, gas, and geothermal production facilities does not cause degradation of waters of the state. The MOA requires the Department of Conservation to notify the Regional Water Board of all pollution

23. Regional Water Board Resolution No. 70-118, Delegation of Duties and Powers to the Regional Water Board's Executive Officer

24. Regional Water Board MOU with U. S. Bureau of Land Management, Bakersfield District Office

25. Regional Water Board MOU with California Department of Fish and Game & Mosquito Abatement and Vector Control Districts of the South San Joaquin Valley

26. Federal Antidegradation Policy

27. Regional Water Board Resolution 89-247, Conditional Waiver of Waste Discharge Requirements at Retail Fertilizer Facilities

28. Regional Water Board Resolution 90-034, Conditional Waiver of Waste Discharge Requirements at Pesticide Applicator Facilities

29. Guideline for Mining

30. Guideline for Erosion/Sedimentation

31. Guideline for Small Hydroelectric Facilities

32. Guideline for Disposal from Land Developments

~~33. Regional Water Board list of Water Quality Limited Segments~~ - - - Deleted 17 October 2002

34. Guidelines for Use of Reclaimed Water