

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2010-0046**

APPROVING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE FOR  
THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS (BASIN PLAN) TO  
ADDRESS SELENIUM CONTROL IN THE SAN JOAQUIN RIVER BASIN

WHEREAS:

1. On May 27, 2010, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted [Resolution R5-2010-0046](#) amending the Sacramento River and San Joaquin River Basins (Basin Plan) to modify the existing compliance schedule for the Grasslands Bypass Project selenium control plan to allow agricultural subsurface drainage discharges to the Lower San Joaquin River to continue through December 31, 2019.
2. The amendments meet the necessity standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
3. Central Valley Water Board staff prepared documents and followed procedures satisfying State laws and regulations.
4. The amendments are in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Board may revise basin plans.
5. Water Code section 13141 requires cost estimates to be developed for any agricultural water quality control program. This is an ongoing program. The Basin Plan includes a cost estimate for the selenium control program with potential sources of funding and neither the cost nor the sources need to be revised.
6. The amendments are limited to policy changes that do not include changes to the underlying scientific basis, and therefore do not require scientific peer review.
7. The Central Valley Water Board found that the analysis contained in the Basin Plan amendment staff report, the Environmental Impact Report/Environmental Impact Statement for the Grasslands Bypass Project 2010-2019 that was prepared by the U.S. Bureau of Reclamation and Delta-Mendota Water Authority, the California Environmental Quality Act (CEQA) Checklist, and the responses to public comments comply with the requirements of the State Water Resources Control Board's (State Water Board's) certified regulatory CEQA process, as set forth in California Code of Regulations title 23, section 3775 et seq.
8. The amendments will revise the compliance time schedule located in chapter IV (implementation chapter) of the Basin Plan for Agricultural Drainage Discharges in the San Joaquin River Basin and its accompanying narrative description in Regional Water Board Prohibitions, section 6.c.
9. The Basin Plan amendments do not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan as adopted under Central Valley Water Board Resolution No. R5-2010-0046.
2. Authorizes the Executive Director, or designee, to transmit the amendment adopted under Central Valley Water Board Resolution R5-2010-0046 to the Office of Administrative Law and to the U.S. Environmental Protection Agency for approval if necessary.

### 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 October 5, 2010.

AYE: Chairman Charles R. Hoppin  
Vice Chair Frances Spivy-Weber  
Board Member Arthur G. Baggett, Jr.  
Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board