

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2019-0053**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR
THE LAHONTAN REGION TO MODIFY THE BENEFICIAL USES FOR THE
MOJAVE RIVER AND ITS TRIBUTARIES AND TO MAKE OTHER MINOR REVISIONS

WHEREAS:

1. On June 12, 2019, the California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board) adopted [Resolution No. R6T-2019-0246](#), an amendment to the Water Quality Control Board for the Lahontan Region (Basin Plan) to modify the beneficial uses designated for the Mojave River and its tributaries and to make other minor revisions.
2. The proposed Basin Plan amendment would add new BIOL and RARE beneficial use designations for portions of the Mojave River and its tributaries, de-designate the COLD beneficial use for a portion of the Mojave River downstream of the Lower Narrows, revise language regarding federal Wild and Scenic Rivers in the Lahontan Region, add language to emphasize the protection of desert riparian habitat when planning off-highway vehicle routes, and make a small number of minor technical revisions and clarifications to the Basin Plan.
3. Pursuant to Public Resources Code section 21080.5, the Natural Resources Agency has approved the Water Board basin planning process as a “certified regulatory program” that adequately satisfies the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) requirements for preparing environmental documents. (Cal. Code Regs. tit. 14, §15251, subd. (g); Cal. Code Regs. tit. 23, §3777.)
4. The Substitute Environmental Documentation for this project includes the staff report, the environmental checklist, responses to comments provided during the public review period, the proposed Basin Plan amendment, and Resolution No. R6T-2019-0246. The Lahontan Water Board found that the analysis contained in the Substitute Environmental Documentation complies with the State Water Resources Control Board’s (State Water Board) regulations for implementing CEQA, as set forth in California Code of Regulations, title 23, section 3775 through 3781. The State Water Board has reviewed the Substitute Environmental Documentation for the Basin Plan amendment and concurs with Lahontan Water Board’s findings and determination.
5. The Lahontan Water Board also adopted the Basin Plan amendment pursuant to the “Necessity” standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).

6. The Lahontan Water Board found the Basin Plan amendment is consistent with State Water Board [Resolution No. 68-16](#), the Statement of Policy with Respect to Maintaining High Quality of Waters in California.
7. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that Regional Water Quality Control Boards may revise Basin Plans, and section 13242, which requires a program of implementation for achieving water quality objectives.
8. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by the Office of Administrative Law (OAL). The designations and de-designation of beneficial uses must also receive approval from the United States Environmental Protection Agency (U.S. EPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendment adopted under Lahontan Water Board Resolution No. R6T-2019-0246.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Lahontan Water Board Resolution No. R6T-2019-0246, as approved, and the administrative record for this action to the Office of Administrative Law and to the U.S. EPA for approval.

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 3, 2019.

AYE: Chair E. Joaquin Esquivel
Vice Chair Dorene D'Adamo
Board Member Sean Maguire
Board Member Laurel Firestone

NAY: None

ABSENT: Board Member Tam M. Doduc

ABSTAIN: None



Jeanine Townsend
Clerk to the Board