

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2018-0002**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SACRAMENTO AND SAN JOAQUIN RIVER BASINS TO ESTABLISH SALINITY WATER QUALITY OBJECTIVES IN THE LOWER SAN JOAQUIN RIVER UPSTREAM OF VERNALIS

WHEREAS:

1. On June 9, 2017, the California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) adopted [Resolution R5-2017-0062](#), an amendment to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) to establish salinity water quality objectives in the Lower San Joaquin River (LSJR) upstream of Vernalis and reduce reliance on New Melones Reservoir water releases to meet salinity water quality objectives at Vernalis.
2. The proposed Basin Plan Amendment comprises Phase II of the Control Program for Salt and Boron Discharges (Control Program) into the LSJR and does not change or supersede the requirements of Phase I of the Control Program focused on meeting salinity water quality objectives at Vernalis to protect the Sacramento-San Joaquin Delta.
3. The proposed Basin Plan Amendment sets salinity water quality performance goals (Performance Goals) to track implementation of salinity management practices and to promote the best water quality achievable under variable conditions.
4. The proposed Basin Plan Amendment requires re-evaluation of the effectiveness of the control efforts and ability to meet Performance Goals ten years after adoption of the water quality objectives and to adjust those objectives as appropriate. This Resolution provides additional grounds for re-evaluation notwithstanding the ten year baseline period.
5. The Staff Report supporting the proposed Basin Plan Amendment describes the results of modeling efforts that indicate that currently-proposed projects to reduce salt discharges to the LSJR will result in water quality improvements that are expected to reduce reliance on New Melones Reservoir releases to meet salinity water quality objectives at Vernalis. The Central Valley Water Board's establishment of the water quality objectives and Performance Goals is intended to bolster the Board's authority to require the implementation of these currently-proposed projects. Should these projects fail to materialize as contemplated in the modeling assumptions in the Staff Report, or should reductions in salinity discharges to the LSJR fail to result in less reliance on New Melones Reservoir releases to meet salinity water quality objectives at Vernalis, the Central Valley Water Board is directed to reconsider the assumptions that went into the modeling efforts that supported the Basin Plan Amendment as well as the water quality objectives and Performance Goals established by the Basin Plan Amendment.
6. The Central Valley Water Board found that the analysis contained in the California Environmental Quality Act (CEQA) "Substitute Environmental Documentation" for the proposed Basin Plan amendment, including the CEQA Checklist, the final staff report entitled "Amendments to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins to Establish Salinity Water Quality Objectives in the Lower San

Joaquin River (Mouth of Merced to Vernalis) Final Staff Report, June 2017 ” and the responses to comments complies with the State Water Board’s regulations for the implementation of CEQA, as set forth in the California Code of Regulations, Title 23, sections 3775 through 3781. The State Water Board has reviewed the Substitute Environmental Documentation for the Basin Plan amendment and concurs with the Central Valley Water Board’s findings and determinations.

7. The Central Valley Water Board adopted the Basin Plan Amendment pursuant to the “Necessity” standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
8. The Central Valley 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, and Water Code section 106.3, which establishes the state policy that “every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.”
9. On [October 30, 2017](#), [December 18, 2017](#), and [December 26, 2017](#), the Executive Officer of the Central Valley Water Board made minor, non-substantive amendments to the Basin Plan Amendment and the Staff Report, as authorized by Central Valley Water Board Resolution No. R5-2017-0062.
10. 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, section 13242, which requires a program of implementation for achieving water quality objectives, and section 13241, which requires consideration of specific factors in adopting new water quality objectives.
11. 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 water quality standards applicable to waters of the United States must also receive approval from the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan Amendment adopted under Central Valley Water Board Resolution R5-2017-0062, as amended by the Executive Officer of the Central Valley Water Board on October 30, 2017, December 18, 2017, and December 26, 2017.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan Amendment adopted under Central Valley Water Board Resolution R5-2017-0062 to OAL for approval of the regulatory provisions and to U.S. EPA for approval of the amendment.

3. Directs the Central Valley Water Board to initiate a re-evaluation of the assumptions that went into the modeling efforts that supported the Basin Plan Amendment and the water quality objectives and Performance Goals established by the Basin Plan Amendment if the currently-proposed projects fail to materialize as contemplated in the modeling assumptions in the Staff Report, or if reductions in salinity discharges to the LSJR do not reduce reliance on New Melones Reservoir releases to meet salinity water quality objectives at Vernalis.

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 January 9, 2018.

AYE: Chair Felicia Marcus
Vice Chair Steven Moore
Board Member Dorene D'Adamo
Board Member E. Joaquin Esquivel

NAY: None

ABSENT: Board Member Tam M. Doduc

ABSTAIN: None



Jeanine Townsend
Clerk to the Board