

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2025-0012**

**APPROVING AND AMENDING THE WATER QUALITY CONTROL PLAN
FOR THE COLORADO RIVER BASIN REGION TO INCORPORATE TRIBAL
BENEFICIAL USES, STATEWIDE MERCURY PROVISIONS AND OTHER
ADMINISTRATIVE UPDATES**

WHEREAS:

1. On June 11, 2024, the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) adopted [Resolution R7-2024-0023](#), approving an amendment to its Water Quality Control Plan (Basin Plan) to include Tribal Beneficial Uses definitions, Statewide Mercury Objectives, and Administrative Updates.
2. The Basin Plan amendment adds Tribal Beneficial Uses definitions to Chapter 2; and Statewide Mercury Objectives to Chapter 3; and makes additional administrative changes to multiple sections of the Basin Plan. Colorado River Basin Water Board staff prepared a [Staff Report](#) describing the Basin Plan amendment, as well as the rationale for this administrative update to the Basin Plan. Attachment A to the Staff Report contained a set of itemized changes to the existing Basin Plan.
3. Designations of the new beneficial uses to specific waterbodies, where those uses exist or are attainable, will be separately considered through a future Basin Plan amendment process. Input from California Native American Tribes and the subsistence fishing communities will be a vital part of the beneficial use designation process, and designations of Tribal Tradition and Culture (CUL) and Tribal Subsistence Fishing (T-SUB) must be confirmed as appropriate by a California Native American Tribe.
4. This Basin Plan amendment was developed in accordance with Water Code section 13240 et seq., and meets the Administrative Procedure Act “necessity” standard. (Gov. Code, § 11353, subd. (b)(2)(C).) The amendment is necessary to ensure that the

Basin Plan has the most up-to-date information available to maintain clarity among users.

5. The Basin Plan amendment is not a “project” within the meaning of CEQA because it will neither cause a direct physical change in the environment, or a reasonably foreseeable indirect change. (See Pub. Resources Code, § 21065 (defining “project”); Cal. Code Regs., tit. 14, § 15378 [defining “project”].) As a result, the amendment is not subject to CEQA and, therefore, not subject to the Water Board’s certified regulatory program regulations for implementing CEQA. (Cal. Code Regs., tit. 23, § 3720, subds. (b), (c)(2).)
6. The State Water Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which authorizes Regional Water Quality Control Boards to revise their water quality control plans for their respective regions.
7. 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 per Colorado River Basin Water Board Resolution R7-2024-0023.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Colorado River Basin Water Board Resolution R7-2024-0023, as approved, and the administrative record for this action to OAL and U.S. EPA for approval.

3. If, during the approval process, State Water Board staff, the Executive Officer of the Colorado River Basin Water Board, or the Office of Administrative Law determines that minor, non-substantive modifications to the Basin Plan amendment are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes and shall inform the State Water Board of any such changes.

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 April 15, 2025.

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

NAY: None

ABSENT: None

ABSTAIN: None



Courtney Tyler
Clerk to the Board