

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2020-

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SANTA ANA RIVER BASIN TO EXPAND EXEMPTIONS TO THE ONSITE WASTEWATER TREATMENT SYSTEM (SEPTIC SYSTEM) PROHIBITION OF DISCHARGES FROM NEW SEPTIC SYSTEMS IN QUAIL VALLEY, A COMMUNITY IN THE CITY OF MENIFEE

### WHEREAS:

1. On January 16, 2020, the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) adopted [Resolution No. R8-2020-0004](#), amending the Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) to expand exemptions to the Onsite Wastewater Treatment System (Septic System) Prohibition of discharges from new septic systems in Quail Valley, a community in the City of Menifee, Riverside County (Basin Plan amendment).
2. The Santa Ana Water Board found that the Basin Plan amendment is consistent with the State antidegradation policy (State Water Resources Control Board [State Water Board] [Resolution No. 68-16](#)). The State Water Board agrees with the Santa Ana Water Board's finding.
3. The Santa Ana Water Board approved the analyses contained in the California Environmental Quality Act (CEQA) "Substitute Environmental Documentation" for the Basin Plan amendment, including the environmental checklist, and found the analyses satisfied the requirements of the State Water Board's certified regulatory CEQA process as set forth in California Code of Regulations, title 23, sections 3775 through 3781. The State Water Board has reviewed the Substitute Environmental Documentation and concurs with the Santa Ana Water Board's findings and determinations.
4. 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 water quality control plans; with section 13242, which requires a program of implementation to achieve water quality objectives; with section 13243, which authorizes regional water quality control boards to specify certain conditions or areas where the discharges of certain types of waste will not be permitted; and with section 13244, which specifies that regional water quality control boards must first hold a noticed public hearing before adopting water quality control plans.
5. The Santa Ana Water Board Basin Plan amendment meets the "necessity" standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b). The necessity of amending the Basin Plan to expand the exemptions to the Quail Valley Septic System Prohibition is established in the Substitute Environmental Documentation, Staff Report, and other parts of the administrative record for the Basin Plan amendment.

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6. 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).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan adopted under Santa Ana Water Board Resolution No. R8-2020-0004; and
2. Authorizes the Executive Director or designee to submit the amendment adopted under the Santa Ana Water Board Resolution No. R8-2020-0004 and the administrative record for this action to OAL for approval of the regulatory provisions.

## **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 7, 2020

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Jeanine Townsend  
Clerk to the Board