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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2022-

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LAHONTAN REGION TO CLARIFY MOJAVE RIVER BENEFICIAL USE DESIGNATIONS, UPDATE SITE CLEANUP, LAND DISPOSAL AND BISHOP UNDERGROUND TANK POLICY SECTIONS AND OTHER EDITORIAL REVISIONS

WHEREAS:

1. On June 8, 2022, the California Regional Water Quality Control Board, Lahontan Region (Lahontan Water Board) adopted [Resolution No. R6T-2022-0021](#) with [Enclosure](#), an amendment to the Water Quality Control Board for the Lahontan Region (Basin Plan) to clarify the beneficial uses designated for the Mojave River, update site cleanup, land disposal and Bishop underground tank policy sections and other editorial revisions.
2. The proposed amendment revises the Basin Plan to clarify the beneficial use designations for the Mojave River that were modified by a previous Basin Plan Amendment ([Resolution No. R6T-2019-0246](#)) and makes other editorial corrections in Chapter 2 (Present and Potential Beneficial Uses), inserts language in Chapter 3 (Water Quality Objectives) to describe the statewide mercury water quality objectives, and updates language in Chapter 4 (Implementation) related to Site Cleanup, Land Disposal and Underground Storage Tank policy sections. Language is also updated in Chapter 6 (Plans and Policies) regarding State Water Board Plans and Policies.
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. Some elements in the amendment involve actions that have already been analyzed under CEQA and no new information triggers the need

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for supplemental or subsequent CEQA analysis. Other elements involve revising the structure, syntax, cross-reference, grammar, or punctuation in the Basin Plan. Therefore, the amendment does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Consequently, no additional CEQA documentation required for certified regulatory programs is needed for this basin planning action. (Cal. Code Regs., tit. 23, §3720, subs. (b), (c)(2).)

5. The Lahontan Water Board 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 the Statement of Policy with Respect to Maintaining High Quality of Waters in California (State Water Board [Resolution No. 68-16](#)), and the federal Antidegradation Policy (40 C.F.R. § 131.12), in that it does not allow degradation of water quality, but requires restoration of water quality and attainment of water quality standards.
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). Changes to water quality standards 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-2022-0021.

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2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Lahontan Water Board Resolution No. R6T- 2022-0021, as approved, and the administrative record for this action to OAL 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 December 6, 2022.

Jeanine Townsend
Clerk to the Board