

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

Proposed Resolution R3-2024-0003

**AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE
CENTRAL COASTAL BASIN TO INCORPORATE APPLICABLE
PROVISIONS OF STATEWIDE PLANS AND POLICIES**

WHEREAS, the California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), finds:

1. The Water Quality Control Plan for the Central Coastal Basin (Basin Plan) is the Central Coast Water Board's master water quality control planning document and was first adopted in 1975. The Basin Plan designates beneficial uses and water quality objectives for waters of the state, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The Basin Plan was duly adopted by the Central Coast Water Board and approved by the State Water Resources Control Board (State Water Board), the Office of Administrative Law (OAL), and the United States Environmental Protection Agency (USEPA), where required.
2. The Basin Plan may be amended in accordance with California Water Code (CWC) section 13240, *et seq.* The current Basin Plan is the June 2019 Edition.¹
3. The Basin Plan amendments, including specifications on physical placement in the Basin Plan, are set forth in Attachment A, to this Resolution. Attachment A is the Project Report that describes the proposed revisions to the Basin Plan to incorporate applicable provisions of statewide plans and policies adopted by the State Water Board since 2015 (new and amended), correct typographical errors and punctuation, and comply with Assembly Bill (AB) 434 web accessibility requirements that require state agency websites to comply with Government Code sections 7405 and 11135 and the Web Content Accessibility Guidelines (WCAG) 2.0, or a subsequent version, published by the Web Accessibility Initiative of the World Wide Web Consortium at minimum Level AA success criteria.
4. The proposed amendments make changes to the Basin Plan that are non-regulatory because the amendments are editorial in nature or incorporate applicable provisions that were adopted by the State Water Board and are already in effect statewide (and therefore, the Central Coast Water Board is already subject to and implementing those provisions), available on the State Water Board's Plans

¹ June 2019 Basin Plan:

https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/docs/2019_basin_plan_r3_complete_webaccess.pdf

and Policies website.^{2,3} Consequently, the revisions are changes that do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of the Basin Plan, and are therefore without regulatory effect under California Code of Regulations ((CCR), title 1, section 100, subdivision (a)). Rather, the revisions improve and clarify the application and implementation of the Basin Plan.

5. The proposed action to amend the Basin Plan is not a “project” within the meaning of the California Environmental Quality Act (CEQA) because it will cause neither a direct physical change in the environment nor a reasonably foreseeable indirect physical change in the environment (Public Resources Code, section 21065; CCR, title 14, section 15378; Public Resources Code, section 21080.1). As a result, the non-regulatory Basin Plan amendments are not subject to CEQA and, therefore, not subject to the State Water Board’s certified regulatory program regulations for implementing CEQA (CCR, title 23, section 3720, subdivisions (b) and (c)(2)).
6. A draft Project Report was made available to the public for review on February 16, 2024. Interested persons had an opportunity to submit written comments during a 45-day comment period which extended from February 16, 2024, to April 3, 2024.
7. On June 20-21, 2024, the Central Coast Water Board held a public hearing to receive oral comments on the proposed Basin plan amendments. Notice of the public hearing was given to all interested persons and published in accordance with CWC section 13244. Notice of updated public hearing information was given to all interested persons in accordance with Government Code section 11125.
8. The Central Coast Water Board has carefully considered all comments and testimony received, including responses thereto, on the Basin Plan amendments, as well as all the evidence in the administrative record.
9. The Basin Plan amendments do not include a “scientific portion,” and, thus, does not require an external scientific peer review under California Health and Safety Code section 57004(d).
10. The Basin Plan amendments must be submitted for approval by the State Water Board and OAL. The Basin Plan amendments will become effective upon approval by OAL. After approved by OAL, the Basin Plan amendments will be submitted to the USEPA for review and approval.
11. Pursuant to Water Code section 13149.2, which became effective on January 1, 2023, the Central Coast Water Board reviewed readily available information and information raised to the Board by interested persons concerning anticipated water quality impacts in disadvantaged or Tribal communities resulting from adoption of these Basin Plan amendments. The Central Coast Water Board considered

² State Water Board’s Plans and Policies website: https://www.waterboards.ca.gov/plans_policies/

³ The State Water Board conducted CEQA review on these plans and policies prior to the time they were adopted.

environmental justice concerns within the Board's authority and raised by interested persons with regard to those impacts. Central Coast Water Board staff have determined that the Basin Plan amendments will not have disproportionate impacts on water quality in disadvantaged communities, as defined in Water Code section 189.7 and 13149.2, or Tribal communities. The proposed Basin Plan amendments do not incorporate implementation plans; instead, the Basin Plan amendments only incorporate water quality objectives that the State Water Board already adopted. Nonetheless, the Central Coast Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 and 13149.2 by conducting outreach in affected disadvantaged and Tribal communities.

THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to CWC section 13240, the Central Coast Water Board, after considering the record, including oral testimony at the hearing, hereby adopts the Basin Plan amendments as set forth in Attachment A to this Resolution R3-2024-0003.
2. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirement of CWC section 13245.5. The Central Coast Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of CWC sections 13245 and 13246 and forward the Basin Plan amendments to OAL and to USEPA for approval.
3. Since the Basin Plan amendments will involve no potential for adverse effect, either individually or cumulatively, on the environment, the Executive Officer is directed to sign a CEQA Filing Fee - No Effect Determination Form and to submit the exemption in lieu of payment of the California Department of Fish and Wildlife CEQA filing fee.
4. If, during the approval process, Central Coast Water Board staff, the State Water Board, or OAL determines that minor, non-regulatory corrections to the language of the amendments are needed for clarity or consistency, the Executive Officer or their designee may make such changes and shall inform the Central Coast Water Board of any such changes.

I, Ryan E. Lodge, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Central Coast Region, on June 20-21, 2024.

Ryan E. Lodge
Executive Officer

Attachment A – Project Report