WHEREAS, the California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) finds that:

1. In 1975 the Central Valley Water Board adopted the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins and the Water Quality Control Plan for the Tulare Lake Basin (Basin Plans), which has been amended occasionally.

2. The Basin Plans may be amended in accordance with Water Code section 13240, et seq.

3. To facilitate current use and future amendments, proposed amendments have been prepared to change the format of the Basin Plans from double column to single column, add numbering to the headers, add a new chapter for a glossary, and replace the hard copies of the State Water Board’s plans and policies located in the appendices with internet weblinks to the State Water Board’s website.

4. Central Valley Water Board staff has prepared a staff report dated 21 July 2017. The staff report included a description of the proposed amendments.

5. The Central Valley Water Board finds that the proposed amendments are format changes and do not have scientific elements requiring independent, external scientific peer review in accordance with Health and Safety Code Section 57004.

6. The Central Valley Water Board finds that the proposed amendments are consistent with the State Water Resources Control Board (State Water Board) Resolution No. 68-16, in that the proposed amendments are format changes to the Basin Plans and will not cause impacts on water quality.

7. The Central Valley Water Board finds that the proposed amendments will improve clarity when explaining future Basin Plan amendments. The proposed action meets the “Necessity” standard of the Administrative Procedures Act, Government Code, section 11353, subdivision (b).

8. The basin planning process has been certified by the Resources Agency as an exempt regulatory program because its process adequately fulfills the purposes of the California Environmental Quality Act (CEQA). The Central Valley Water Board is therefore exempt from CEQA’s requirements to prepare an environmental impact report, negative declaration, or initial study (Public Resources Code, section 21000 et seq.) for the proposed amendments. Instead, the Central Valley Water Board prepares substitute environmental documents under the certified regulatory program. However, the proposed amendments are exempt from the certified regulatory program requirements because those requirements do not apply if the proposed amendments are exempt from CEQA. (Pub. Res. Code § 21080, subdivision (b)(1); Cal. Code
9. Central Valley Water Board staff has circulated a Notice of Public Hearing and a written staff report, including draft proposed amendments, to interested individuals and public agencies, for review and comment in accordance with state requirements. (Wat. Code § 13245.).

10. Responses to all comments have been prepared and the draft amendment and staff report have been revised as appropriate in response to comments.

11. The Central Valley Water Board held a public hearing on 18/19 October 2017, for the purpose of receiving testimony on the draft Basin Plan amendments. Notice of the public hearing was sent to all interested persons and published in accordance with California Water Code section 13244.

12. A Basin Plan amendment must be approved by the State Water Board and the Office of Administrative Law (OAL). The proposed amendments become effective under State law after OAL approval.

13. The Central Valley Water Board finds that the amendments to the Basin Plans were developed in accordance with California Water Code section 13240, et seq.

THEREFORE BE IT RESOLVED:

1. Pursuant to California Water Code section 13240, et seq., the Central Valley Water Board, after considering the entire record, including oral testimony at the hearing, hereby approves the staff report and adopts the amendments to the Basin Plans as set forth in Attachments 1 and 2.

2. The Executive Officer is directed to forward copies of the Basin Plan amendments to the State Water Board in accordance with the requirements of California Water Code section 13245.

3. The Central Valley Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of Water Code sections 13245 and 13246 and forward it to OAL.

4. If during its approval process the Central Valley Water Board staff, State Water Board or OAL determines that minor, non-substantive corrections to the language of the amendments are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Central Valley Water Board of any such changes.

5. Following approval of the Basin Plan amendments by the OAL, the Executive Officer shall file a Notice of Decision with the Secretary for Natural Resources in accordance with Public Resources Code section 21080.5, subsection (d)(2)(E), and California Code of Regulations, title 23, section 3781.
I, PAMELA C. CREEDON, 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 Valley Region, on 18/19 October 2017.

PAMELA C. CREEDON, Executive Officer

Attachments:

Attachment 1: Reformat Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins.

Attachment 2: Reformat Amendments to the Water Quality Control Plan for the Tulare Lake Basin.
ATTACHMENT 1

RESOLUTION NO. R5-2017-xxx

REFORMAT AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR
THE SACRAMENTO RIVER AND SAN JOAQUIN RIVER BASINS

See:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/changes.shtml
ATTACHMENT 2

RESOLUTION NO. R5-2017-xxx

REFORMAT AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR
THE TULARE LAKE BASIN

See:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tularelakebasin_changes.shtml