

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

**RESOLUTION NO. R7-2018-0018**

**NON-REGULATORY AMENDMENT TO THE WATER QUALITY CONTROL PLAN  
FOR THE COLORADO RIVER BASIN REGION TO MAKE ADMINISTRATIVE,  
EDITORIAL CHANGES THAT UPDATE LANGUAGE AND GRAPHICS RELATED TO  
THE SALTON SEA AND CORRECT GENERAL ERRORS**

**WHEREAS**, the California Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board), finds that:

1. The Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) is designed to preserve and enhance water quality of the Region and to protect the beneficial uses of all regional waters. The Basin Plan contains the Region's beneficial uses for ground and surface waters, water quality objectives to protect those beneficial uses, and implementation programs to achieve the water quality objectives. The Basin Plan also contains non-regulatory descriptions of the Region regulated by the Basin Plan.
2. The current Basin Plan was adopted by the Colorado River Basin Water Board on November 17, 1993 and has since been modified by numerous amendments. The current edition of the Basin Plan dated August 2017 incorporates all past amendments.
3. This Resolution considers the adoption of a non-regulatory amendment to the Basin Plan to update its discussion of Salton Sea and to correct miscellaneous general errors and outdated or obsolete information (Amendment). A redline showing the proposed changes to the Basin Plan from the Amendment is attached hereto as Attachment B. A "clean copy" of the proposed new Basin Plan (after Amendment) is attached hereto as Attachment C.
4. The proposed Amendment was developed in accordance with Water Code section 13240 et seq. and meets the "necessity" standard of the Administrative Procedure Act in Government Code section 11353, subdivision (b)(2)(C).
5. The proposed Amendment is the result of an investigation of Triennial Review Workplan Item 13 "Update Salton Sea Discussion and Associated Information" and Item 14 "Correct General Errors and Outdated or Obsolete Information." The Triennial Review Workplan was adopted on November 9, 2017 by the Colorado River Basin Water Board as part of the 2017 Triennial Review of the Basin Plan (Resolution No. R7-2017-0033).
6. The proposed Amendment is needed to update and revise descriptions and graphics relating to the Salton Sea in Chapters 1, 2, 3, and 4 of the Basin Plan. These changes reflect the current condition of the Salton Sea and recent legislative and regulatory developments, as well as provide additional necessary information in a clear and concise fashion.
7. The proposed Amendment is also needed to correct general errors throughout the entire Basin Plan, including the Cover Page, Foreword, Table of Contents, and Chapters 1 through 6. These changes correct typographical errors, clarify confusing language in the Basin Plan, update Agency names, and standardize formatting and cross-referencing throughout the document.

8. Colorado River Basin Water Board staff have prepared a detailed Staff Report describing the proposed Amendment, as well as the specific necessity and rationale for this administrative update to the Basin Plan. The Colorado River Basin Water Board reviewed and considered the Staff Report before acting on the Amendment.
9. The proposed Amendment is non-regulatory in nature and imposes no new regulatory requirements. The Amendment does not involve changes to water quality standards or their implementation provisions. The non-regulatory, administrative changes are intended solely to provide more current information and to improve the clarity and convenience of the Basin Plan.
10. Pursuant to Public Resources Code section 21080.5, the Natural Resources Agency has approved the basin planning process of the State Water Resources Control Board (State Water Board) and Regional Water Quality Control Boards as a "certified regulatory program" that satisfies California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) requirements for preparing environmental documents. (14 Cal. Code Regs. § 15251, subd. (g).) However, as an amendment consisting of non-regulatory, administrative updates to the Basin Plan, the Amendment will have no impact on the environment and is not a "project" under CEQA. Accordingly, the State Water Board's CEQA regulations do not apply to this action. (23 Cal. Code Regs. § 3720, subd. (b).)
11. Because the Amendment consists of non-regulatory, administrative updates to the Basin Plan, this action is not subject to Water Code sections 13241 and 13242. However, the Colorado River Basin Water Board nevertheless finds that this Amendment will have no impact on any of the factors set forth in Water Code section 13241.
12. The Amendment does not include scientific elements requiring independent, external scientific peer review in accordance with Health and Safety Code section 57004.
13. A Notice of Hearing was published and circulated 45 days preceding the action by the Colorado River Basin Water Board.
14. The public has had a reasonable opportunity to participate in the review of the proposed Amendment to the Basin Plan. The draft tentative Resolution, updated Basin Plan chapters, and Staff Report were released for public comment on April 30, 2018, to allow a 30-day public comment period in advance of the public hearing.
15. The Colorado River Basin Water Board held a public hearing on June 14, 2018, in Yucca Valley, California, to consider adoption of the proposed Amendment. The Colorado River Basin Water Board considered all evidence provided by staff and the public at the hearing.
16. A non-regulatory Basin Plan amendment such as the Amendment does not become effective until approved by the State Water Board and until the Office of Administrative Law has concurred on its non-regulatory status.
17. The Amendment does not involve the adoption or revision of water quality standards for surface water. Thus, approval by the United States Environmental Protection Agency (USEPA) of the Amendment is not required.

**NOW, THEREFORE, BE IT RESOLVED THAT,**

1. Pursuant to Water Code section 13240, the Colorado River Basin Water Board, after considering the entire record, including oral testimony at the hearing, hereby approves the Staff Report and adopts the proposed Amendment to make administrative, editorial changes to the Basin Plan to update language and graphics related to the Salton Sea and to correct general errors, as set forth in Attachment A to this Resolution.
2. The Executive Officer is directed to submit the Amendment to the State Water Board in accordance with the requirements of Water Code section 13245.
3. The Colorado River Basin Water Board requests that the State Water Board approve the Amendment in accordance with the requirements of Water Code sections 13245 and 13246.
4. The Executive Officer is authorized to submit the Amendment adopted by this Resolution to the Office of Administrative Law for concurrence on its non-regulatory status and to the USEPA for informational purposes.
5. If during the approval process, Colorado River Basin Water Board staff, the State Water Board, or the Office of Administrative Law determines that minor, non-substantive corrections to the language of the Amendment are needed for clarity or consistency, the Executive Officer may make such changes and shall inform the Colorado River Basin Water Board of any such changes.

I, Jose Angel, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted on June 14, 2018 by the California Regional Water Quality Control Board, Colorado River Basin Region.

  
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JOSE L ANGEL, P. E.  
Executive Office