

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

RESOLUTION R6T-2006-0047
APPROVAL OF AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
FOR THE LAHONTAN REGION TO REVISE SODIUM-RELATED WATER
QUALITY STANDARDS FOR SURFACE WATERS OF THE CARSON AND
WALKER RIVER WATERSHEDS, AND APPROVAL OF
A SUBSTITUTE ENVIRONMENTAL DOCUMENT

WHEREAS, the California Regional Water Quality Control Board, Lahontan Region (Water Board):

1. The Water Board's revised Water Quality Control Plan for the Lahontan Region (Basin Plan) took effect on March 31, 1995, and has been amended periodically since that time, and
2. Water Board staff prepared draft Basin Plan amendments including changes to Chapter 3, Water Quality Objectives, to replace existing water quality objectives for Percent Sodium applicable to surface waters of the Carson and Walker River watersheds with new water quality objectives for Sodium Adsorption Ratio (SAR). The amendments also include minor editorial changes, and
3. The draft amendments to the Basin Plan were developed in accordance with Water Code section 13240 et seq. In developing new water quality objectives for SAR, the Water Board and its staff considered the following factors specified in Water Code section 13241:
 - a. Past, present and probable future beneficial uses of water
 - b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto
 - c. Water quality considerations that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area
 - d. Economic considerations
 - e. The need for developing housing within the region
 - f. The need to develop and use recycled water, and

4. The Water Board considered the costs of implementing the amendments, and finds that the cost is reasonable in relation to the water quality benefits derived from implementing the amendment, and
5. A Notice of Filing, the staff report, substitute environmental document, including an environmental checklist, and draft amendments were prepared and distributed to interested individuals and public agencies for review and comment in accordance with state and federal environmental regulations. (Cal. Code Regs., tit. 23, § 3775; 40 C.F.R. § 25; and 40 C.F.R. § 131.), and
6. The Water Board's basin planning process is a certified regulatory program pursuant to the California Environmental Quality Act (Pub. Resources Code § 21080.5.). Water Board staff prepared and circulated a draft substitute environmental document for public review. The substitute environmental document, when considered together with the record of the public review process as a whole, indicates that adoption of the proposed amendments to the Basin Plan will have no significant or potentially significant adverse impacts on the environment. Because there will be no significant or potentially significant impacts on the environment, no alternatives or mitigation measures are proposed. The substitute environmental document, when considered together with the record of the public review process as a whole, shows that there is no potential for adverse impacts, either individually or cumulatively, on wildlife. The substitute environmental document, when considered together with the record of the public review process as a whole, also indicates that the adoption of the proposed amendments will have no adverse economic impacts related to the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California, and
7. The proposed amendments create new performance standards that may lead to requirements for the installation of pollution control equipment or to new treatment processes or facilities. However, no new implementation measures are proposed as part of the amendments. The new water quality objectives will be implemented using the Board's existing permitting and enforcement authority. The substitute environmental document includes an analysis of reasonably foreseeable means of compliance pursuant to Public Resources Code Section 21159, and
8. The proposed amendments were reviewed by an external scientific peer reviewer pursuant to Health and Safety Code Section 57004. The reviewer's comments and staff's responses are included in the administrative record of the amendments. Changes were made in the

technical staff report for the proposed amendments as a result of the scientific peer review process, and

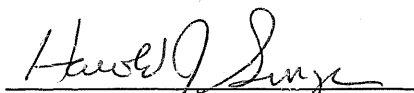
9. The proposed amendments meet the necessity standard of the Administrative Procedure Act, Government Code Section 11353(b), and
10. The availability of the draft amendments and substitute environmental document was properly noticed in newspapers of general circulation in the affected watersheds as required by Water Code Section 13244. Copies of the notice, amendments and environmental document were made available to parties on the Water Board's Basin Plan mailing list who requested them. Copies of these documents were also made available on the Internet, and
11. No written public comments were received on the draft amendments, draft substitute environmental document, or technical staff report. The Water Board heard and considered all testimony presented at a duly noticed public hearing held at its regular October 11-12, 2006 meeting.

THEREFORE BE IT RESOLVED:

1. Based on the record as a whole, including the draft Basin Plan amendments, the environmental document, staff report, accompanying written documentation, the scientific peer reviewer's comments, and public comments received, the Water Board finds that there is evidence in the record that adoption of the proposed amendments to the Basin Plan will not result in significant or potentially significant effects on the environment.
2. Considering the record as a whole, there is no evidence before the Water Board that the adoption of the proposed amendments to the Water Quality Control Plan for the Lahontan Region will have any adverse impacts in terms of the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.
3. The environmental document prepared by Water Board staff pursuant to Public Resources Code Section 21080.5, which reflects the independent judgment of the Water Board, is hereby certified. Following approval of the Basin Plan amendments by the State Water Resources Control Board (State Water Board) and the California Office of Administrative Law (OAL), the Executive Officer shall file a Notice of Decision with the Resources Agency and the State Clearinghouse. The record of the final environmental document shall be retained at the Water Board's office at 2501 Lake Tahoe Boulevard, South Lake Tahoe, California, in the custody of the Board's administrative staff.

4. The Water Board adopts the amendments to Chapter 3 of the Basin Plan to replace existing water quality objectives for Percent Sodium for surface waters of the Carson and Walker River watersheds with a new water quality objective for SAR, and to make minor editorial changes.
5. The Executive Officer is directed to forward copies of the Basin Plan amendments and the administrative record to the State Water Board in accordance with the requirements of Section 13245 of the California Water Code.
6. The Water Board requests that the State Water Board approve the Basin Plan amendments in accordance with the requirements of Sections 13245 and 13246 of the California Water Code and forward them to the OAL and the U.S. Environmental Protection Agency for approval.
7. If during its approval process for Water Board Basin Plan amendments or policies, the State Water Board or OAL determines that minor, non-substantive changes to the language of the amendment or policy are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Water Board of any such changes.
8. Because the Basin Plan amendments will involve no potential for adverse effect, either individually or cumulatively on wildlife, the Executive Officer is authorized to sign the Certificate of Fee Exemption and to transmit it to the California Department of Fish and Game (CDFG) in lieu of payment of the CDFG filing fee.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region on October 12, 2006.


HAROLD J. SINGER
EXECUTIVE OFFICER