

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2023-0040**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE TULARE LAKE BASIN TO REMOVE THE MUNICIPAL AND DOMESTIC SUPPLY (MUN) AND AGRICULTURAL SUPPLY (AGR) BENEFICIAL USES FROM GROUNDWATER WITHIN A DESIGNATED HORIZONTAL AND VERTICAL PORTION OF THE SOUTHERN REGION OF THE LOST HILLS OILFIELD

WHEREAS:

1. On June 10, 2022, the Regional Water Quality Control Board for the Central Valley Region (Central Valley Water Board) adopted [Resolution R5-2022-0035](#), an amendment to the Water Quality Control Plan for the Tulare Lake Basin (Basin Plan Amendment), to remove MUN and AGR beneficial uses from groundwater within a designated horizontal and vertical portion of the southern region of the Lost Hills Oilfield.
2. The Basin Plan Amendment applies to the removal of MUN and AGR beneficial uses in the groundwater contained within the Lower Tulare Member and the Etchegoin Formation, at a depth of approximately 600 feet to 6,600 feet below ground surface, within Sections 14, 15, 22, 23, 26 and 27 of Township 27 South, Range 21 East, Mount Diablo Meridian, in the Lost Hills Oilfield.
3. The Central Valley Water Board found that the analysis contained in the California Environmental Quality Act (CEQA) “Substitute Environmental Documentation” for the proposed Basin Plan Amendment, including the CEQA Checklist, the Staff Report entitled “Amendment To the Water Quality Control Plan for the Tulare Lake Basin To Remove the Municipal and Domestic Supply (MUN) and Agricultural Supply (AGR) Beneficial Uses within a Designated Horizontal and Vertical Portion of the Southern Lost Hills Oilfield (June 2022),” complies with the State Water Board’s regulations for the implementation of CEQA, as set forth in the California Code of Regulations, title 23, sections 3775 through 3781. The State Water Resources Control Board (State Water Board) has reviewed the

Substitute Environmental Documentation for the Basin Plan Amendment and concurs with the Central Valley Water Board's findings and determinations.

4. The Central Valley Water Board adopted the Basin Plan Amendment pursuant to the "Necessity" standard of the Administrative Procedures Act, Government Code section 11353, subdivision (b).
5. The Central Valley Water Board found the Basin Plan Amendment is consistent with State Water Board Resolution No. 68-16, the Statement of Policy with Respect to Maintaining High Quality of Waters in California, and Water Code section 106.3, which establishes the state policy that "every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes."
6. 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.
7. 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).
8. As authorized by Central Valley Water Board Resolution No. R5-2022-0035, the Central Valley Water Board's Executive Officer made minor, non-substantive corrections to the language of the proposed Basin Plan Amendment of Resolution R5-2022-0035 that were needed to improve clarity by more precisely describing the location of the project area, as well as correcting minor clerical errors. These corrections were communicated in a memorandum to the State Water Board dated August 11, 2023.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan Amendment adopted under Central Valley Water Board Resolution R5-2022-0035 (including the associated Executive Officer Corrections Memorandum dated August 11, 2023).
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan Amendment adopted under Central Valley Water Board Resolution R5-2022-0035 (including the associated Executive Officer Corrections Memorandum dated August 11, 2023) to OAL for approval of the regulatory provisions.

### 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 November 7, 2023.

AYE: Chair E. Joaquin Esquivel  
Vice Chair Dorene D'Adamo  
Board Member Sean Maguire  
NAY: None  
ABSENT: Board Member Laurel Firestone  
Board Member Nichole Morgan  
ABSTAIN: None

  
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Courtney Tyler  
Clerk to the Board