

# Meeting will begin shortly

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Note: This meeting will be recorded

# CUL and COMM Beneficial Uses Designation: CEQA Public Scoping Meeting

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May 15, 2026

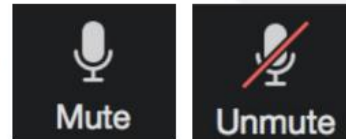


Central Valley Regional Water Quality Control Board

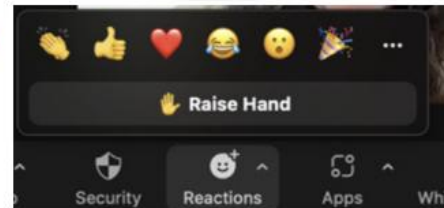
# Zoom Logistics

- Comments & Questions taken at end of presentation
- If calling into this meeting and wanting to verbally comment, please:
  - \*9 to raise your hand
  - **Wait for facilitator to call on you**
  - \*6 to unmute
- Zoom Toolbar:

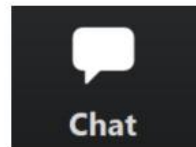
- Mute / unmute



- Raise hand (located within "Reactions")



- Chat



- Video

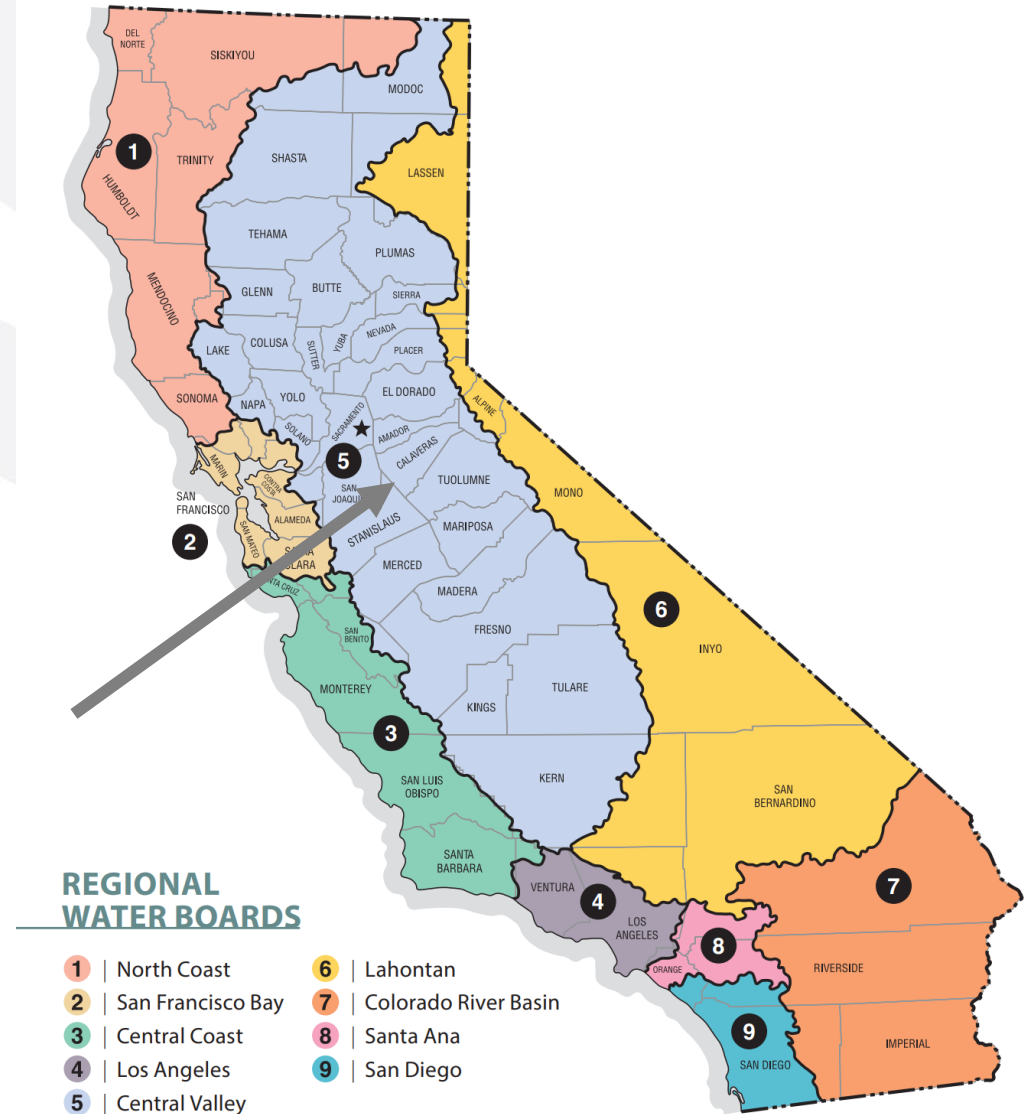


# Agenda

- Regulatory Context
- Basin Plan and Amendment Process
- CEQA and CEQA Scoping Overview
- Project Description
- Next Steps
- Questions and Comments

# The Water Boards

- One State Water Board
- Nine Regional Water Boards



# Regulatory Basis

- Federal Clean Water Act:
  - Designate beneficial uses of surface water
  - Establish water quality criteria to protect those uses
- State Porter - Cologne Water Quality Control Act:
  - Establishes Regional Water Boards responsibility for protecting surface & groundwater quality
  - Boards establish Water Quality Control Plans (Basin Plans) including beneficial uses of surface and groundwater

# Relevant Federal Policies

- Section 101(a)(2) of the federal Clean Water Act (CWA):
  - establishes the national interim goal that, wherever attainable, water quality should provide for the protection and propagation of fish, shellfish, and wildlife, and allow for recreation in and on the water.

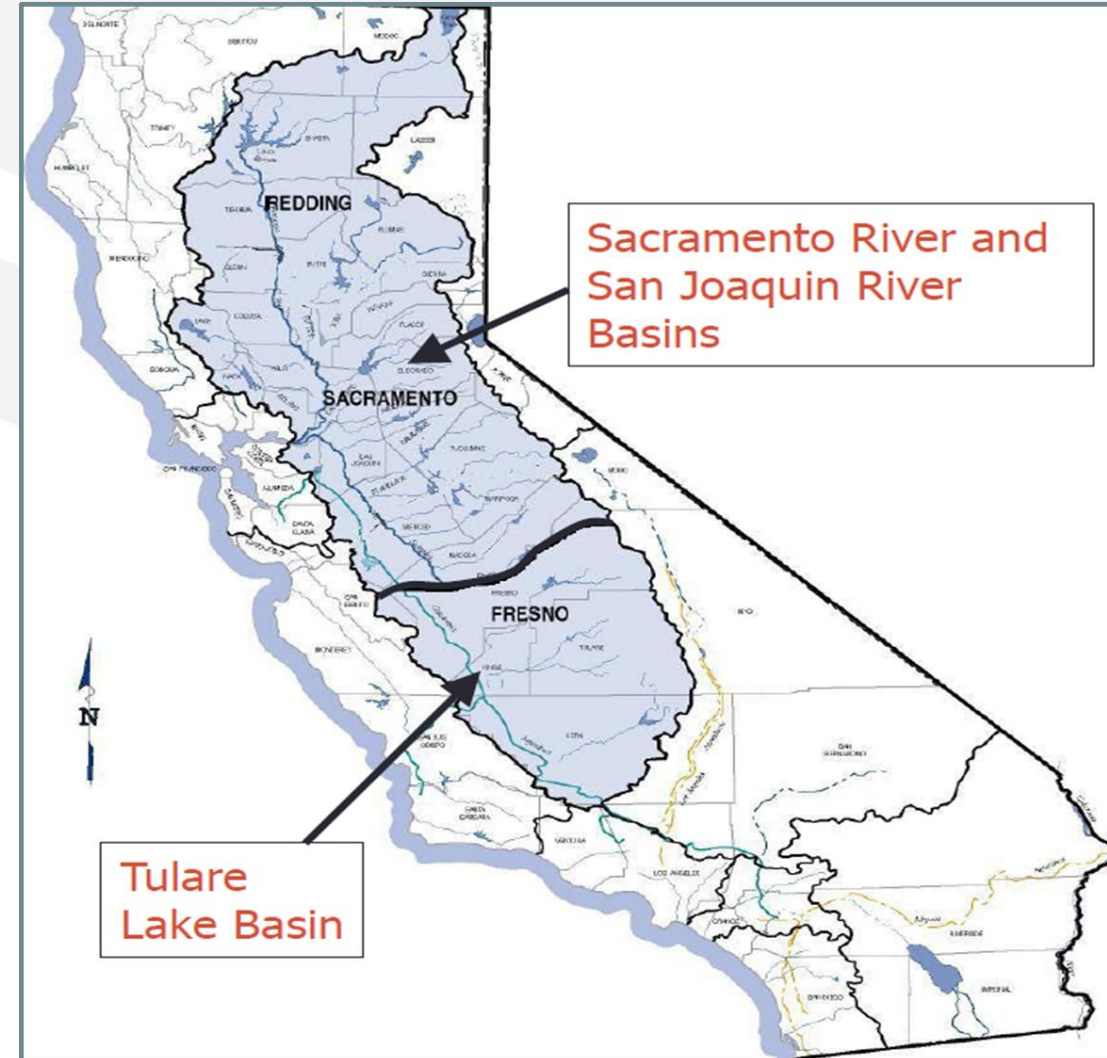
# Relevant State Policies

California Water Code § 100:

“...requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable,...., and that the conservation of such water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare...”

# Central Valley Water Board (CVWB)

- Basin Plans
  - Designate beneficial uses
  - Establish water quality objectives
  - Describe implementation plans
  - Describe monitoring & surveillance programs
  - Incorporate State Policies
- Two Basin Plans
  - Sacramento/San Joaquin Basin Plan
  - Tulare Lake Basin Plan



# Basin Plan Amendment Proposal

We are considering amending the Central Valley Water Board's Sacramento and San Joaquin Rivers Basin Plan and the Tulare Lake Basin Plan to designate Tribal Tradition and Culture (CUL) and Sport and Commercial Fishing (COMM) beneficial uses in certain waters within the Central Valley region.

# Basin Plan Amendment Process



Public participation



Central Valley Water Board adoption



State Water Board approval



Office of Administrative Law approval



US EPA approval

# Public Participation



Tribal Consultation



A CEQA scoping meeting



Stakeholder meetings (if necessary)



Public workshops



A Public Comment Period and Response to Comments



Water Board hearings

# CEQA Scoping

- CEQA requires an environmental analysis of any proposed Basin Plan amendment
- CEQA scoping meeting provides an opportunity for the public to give input on:
  - ✓ Potential environmental impacts
  - ✓ Possible mitigation measures
  - ✓ Possible project alternatives

CCR, title 23, section 3775.5

# Significant Effect on the Environment

“... a substantial, or potentially substantial, adverse change in any of the physical condition within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.”

CCR, title 14, section 15382

# Environmental Factors

- Aesthetics
- Agriculture / Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities / Service Systems
- Wildfire
- Mandatory Findings of Significance

# Today's CEQA Scoping

Solicit comments and suggestions from the public regarding a proposal to:

1. Evaluate the appropriateness of CUL and COMM beneficial use designation in certain waters in the Central Valley region
2. If appropriate, amend the Sacramento and San Joaquin Rivers Basin Plan and the Tulare Lake Basin Plan to add CUL and COMM uses, associated water quality objectives and implementation requirements to certain waters in the Central Valley region

# Tribal Use of Water

Since time immemorial, California Native American tribes have relied on water to sustain their cultural, spiritual, ceremonial, and traditional lifeways. In many cases, these practices continue today and remain central to the health, identity, and sovereignty of tribal communities.

# Project Description

- Amend the Basin Plans to designate CUL beneficial use to recognize and protect the unique and vital relationships between California Native American tribes and water.
- Designation of this beneficial use provides a framework to ensure that water quality standards account for tribal uses, at the level of individuals, households, or entire communities.

# Project Description (continued)

- COMM beneficial use to be designated in water proposed to be designated with CUL beneficial uses as both beneficial uses cover similar activities:
  - CUL uses of water include gathering and consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.
  - COMM uses of water include collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes.

# Project Description (continued)

- CUL and COMM beneficial uses will be protected with existing water quality objectives
  - Sport Fish – established by Final Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California - Tribal and Subsistence Fishing Beneficial Uses and Mercury Provision
  - California Toxics Rule – 40 CFR 131.38 promulgates criteria for priority toxics pollutants for inland surface waters and enclosed bays and estuaries

# Project Description (continued)

- CUL beneficial uses that involve body contact with water will be protected with existing water quality objectives associated with Water Contact Recreation (REC-1) beneficial use
  - REC-1 beneficial use is use of water for recreational activities involving body contact with water, where ingestion of water is reasonably possible.
    - Designated in all surface waters
    - Applicable Water Quality Objectives: pH and Bacterial Provisions

# Project Description (continued)

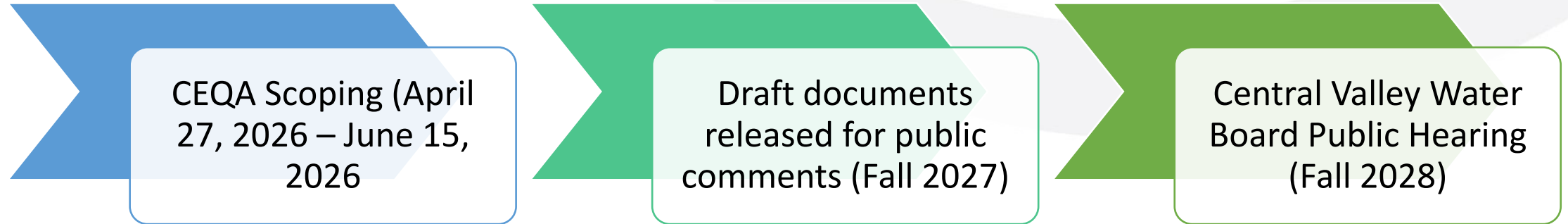
Project Area: Certain waters throughout the Sacramento, San Joaquin, and Tulare Lake watershed



# Project Description (continued)

- Segments proposed for designation:
  - Sacramento River and San Joaquin River basins: 43 waterbody segments
  - Tulare Lake Basin: 27 waterbody segments
- New proposed waterbody segments to be added to Table 2-1 of the basin plans
- Subject to change based on tribal input and feedback

# Next Steps



# Questions/Comments

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TBU Project Website and Email List:


[www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/tribal\\_beneficial\\_uses/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tribal_beneficial_uses/)

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