

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

3737 Main Street, Suite 500
Riverside, CA 92501-3348
(951) 782-4130

[Santa Ana Water Board Website](https://www.waterboards.ca.gov/santaana) (<https://www.waterboards.ca.gov/santaana>)

TENTATIVE RESOLUTION R8-2024-0054

INFORMATION

Status: TENTATIVE

Program: Regional Planning Programs Section

Project: Fiscal Years 2024-2027 Triennial
Review of the Water Quality Control
Plan for the Santa Ana River Basin

CERTIFICATION

I, JAYNE JOY, Executive Officer, hereby certify that the following is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on October 25, 2024.

JAYNE JOY
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION

RESOLUTION R8-2024-0054
FOR
TRIENNIAL REVIEW OF
THE WATER QUALITY CONTROL PLAN
FOR THE SANTA ANA RIVER BASIN
FISCAL YEARS 2024-2027

FINDINGS

WHEREAS, the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) finds that:

1. The first comprehensive Water Quality Control Plan for the Santa Ana River Basin (Basin Plan) was adopted by the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) on April 11, 1975. On March 11, 1994, the Santa Ana Water Board adopted an updated version of the Basin Plan, which became effective on January 24, 1995.
2. The Basin Plan contains the Santa Ana Water Board's water quality standards for surface and groundwater protection of the Santa Ana River Basin (Region). Water quality standards consist of beneficial uses and water quality objectives to protect those uses, as well as an antidegradation policy. The Basin Plan also contains programs of implementation, including total maximum daily loads (TMDLs) for surface waters, management measures for salts and nutrients in groundwater basins, certain discharge prohibitions, and references to other statewide plans and policies applicable to the Region's waters, descriptions of water quality monitoring and surveillance, and non-regulatory descriptions of the Region.
3. The Santa Ana Water Board has amended the Basin Plan numerous times to, among other things: incorporate TMDLs; revise management strategies for nitrogen and total dissolved solids; add language authorizing the inclusion of compliance schedules in National Pollutants Discharge Elimination System permits; revise recreation standards for inland surface waters; and incorporate other necessary changes.
4. State and federal law require the periodic or triennial review of water quality control plans. Water Code section 13240 requires that water quality control plans be periodically reviewed. Section 303(c) of the Clean Water Act (33 U.S.C. § 1313(c)) requires states to hold a public hearing for review of applicable water quality standards at least once every three years. For ease of reference, the

Triennial Review of Water Quality Control Plan for Santa Ana River Basin

state and federal review processes are referred to herein as the “Triennial Review.” The primary purpose of a triennial review is to review water quality standards to ensure they are based on current science, methodologies, and USEPA recommendations and guidance, as well as to take public comment on issues the Santa Ana Water Board should address in the future through the Basin Plan amendment process.

5. The Triennial Review process is cyclical in that at the end of one three-year review period, the review process begins again with the next three-year period. The process does not necessarily involve the revision of all or any particular component of the water quality standards every three years. Moreover, identification of an issue during a triennial review does not necessarily mean that any Basin Plan amendment will be made over the course of the three-year review cycle.
6. The Santa Ana Water Board identifies high-priority Basin Plan projects to be addressed during the Triennial Review period after considering a variety of factors, including the protection and restoration of beneficial uses, public input, agency priorities, compliance with legal requirements, the complexity and urgency of the project and anticipated completion time, staff resource capacity, and budgetary constraints.
7. In addition to the Triennial Review High-Priority List, Santa Ana Water Board staff also developed a medium-priority list for projects that are unlikely to be completed during this triennial review period due to the complexity of the issues, agency priorities, and availability of staff resources.
8. The Santa Ana Water Board may evaluate modifying and adopting water quality standards as a result of the triennial or periodic review process. The standards-setting process is a separate rulemaking process subject to various state law requirements, including public participation requirements and, as appropriate, environmental review and external scientific peer review.
9. The decision on whether to proceed with a proposed Basin Plan amendment is only made after the Santa Ana Water Board reviews the technical and legal considerations associated with an issue and determines that development of a Basin Plan amendment is supported by evidence and appropriate. Federal or state law or regulations may preclude changes that might otherwise be deemed desirable by stakeholders.
10. The FYs 2024-2027 Triennial Review Priority Lists and Work Plan, attached hereto as Attachments A, B and C to this resolution, identifies the projects that the Santa Ana Water Board has determined are the most appropriate priorities to undertake during the current triennial review period (July 2024 – June 2027). The

projects on these lists are prioritized to reflect water quality concerns, ongoing work and commitments, the availability of needed resources, and public input.

11. In adopting this resolution and the FYs 2024-2027 Triennial Review Priority Lists and Work Plan, the Santa Ana Water Board is not required to consider the factors of Water Code section 13241. Consideration of the factors is required when “establishing water quality objectives.” Here, the Santa Ana Water Board is not establishing water quality objectives. Instead, as required by state and federal law, the Santa Ana Water Board is reviewing its water quality standards and Basin Plan.
12. In adopting this resolution and the FYs 2024-2027 Triennial Review Priority Lists and Work Plan, the Santa Ana Water Board does not adopt or modify any water quality objectives. Accordingly, no findings are required under Water Code section 13149.2.

Public Participation

13. On December 27, 2023, Santa Ana Water Board staff sent out notices to California Native American Tribes, inviting them to participate in the triennial review process, and submit suggested revisions or additions to the Basin Plan.
14. On December 28, 2023, the Santa Ana Water Board sent out an electronic notification of a public scoping meeting to hundreds of interested parties informing them of the initiation of the triennial review process and the upcoming public scoping meeting.
15. On January 31, 2024, Santa Ana Water Board staff conducted a public scoping meeting with interested parties to consider the preliminary proposed high priority list of Basin Plan projects to be addressed.
16. On March 29, 2024, Santa Ana Water Board staff sent out notices to California Native American Tribes for solicitation of comments on the updated draft High-Priority list.
17. On March 29, 2024, Santa Ana Water Board staff released copies an updated draft priority list to all interested parties for their review, with 30 days to submit comments.
18. Santa Ana Water Board staff reviewed and considered comments received from interested parties in preparing the FYs 2024-2027 Triennial Review Priority Lists and Work Plan.

Tentative Resolution R8-2024-0054

Triennial Review of Water Quality Control Plan for Santa Ana River Basin

19. Santa Ana Water Board staff prepared a Staff Report for the FYs 2024-2027 Triennial Review describing the triennial review process, the current issues of concern to interested parties and the Santa Ana Water Board, and the recommended list of Basin Planning projects to be addressed during the 2024-2027 triennial review period.
20. The Santa Ana Water Board conducted a public hearing on October 25, 2024, to consider the adoption of the proposed 2024-2027 Triennial Review Priority Lists and Work Plan. Notice of the public hearing was given to all interested parties in accordance with federal and state requirements.
21. The Santa Ana Water Board has considered the entire record, including oral comments, in adopting the FYs 2024-2027 triennial review lists of Basin Planning priority projects for investigation, as set forth in the following resolves to this Resolution, for the current review period.
22. The Santa Ana Water Board considered all testimony at the public hearing on October 25, 2024, regarding the proposed FYs 2024-2027 Triennial Review Priority Lists and Work Plan.

THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to Water Code section 13240, Clean Water Act section 303(c)(1), and 40 C.F.R. part 131.20, and in consideration of public comments, the Santa Ana Water Board hereby approves and adopts the FYs 2024-2027 Triennial Review Priority Lists and Work Plan, attached hereto as Attachment A, B, and C.
2. Areas of the Basin Plan not identified as needing investigation and possible revision are affirmed as adequate at the present time. However, adoption of the FYs 2024-2027 Triennial Review Priority Lists and Work Plan do not preclude the Santa Ana Water Board from considering other Basin Plan amendments related to matters that are not on the lists. The Executive Officer is authorized to re-prioritize basin planning projects based on legal or regulatory mandates that arise during the triennial review period.
3. The Santa Ana Water Board will, to the best of its capability and within budgetary constraints and staffing resources, address the priority issues and will prepare, as appropriate, amendments to the Basin Plan.
4. The current Basin Plan remains in effect until the Santa Ana Water Board adopts subsequent amendments and the appropriate state and federal agencies review and approve those amendments.

Tentative Resolution R8-2024-0054

Triennial Review of Water Quality Control Plan for Santa Ana River Basin

5. A copy of this resolution shall be transmitted to the State Water Resources Control Board and USEPA.

List of Attachments

Attachment A – Tentative Triennial Review High-Priority List Work Plan

Attachment B – Tentative Triennial Review High-Priority List Project Descriptions

Attachment C – Tentative Triennial Review Medium-Priority List Project Descriptions