

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0054**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE
COLORADO RIVER BASIN REGION (BASIN PLAN) TO PROHIBIT SEPTIC TANK
DISCHARGES IN THE TOWN OF YUCCA VALLEY IN SAN BERNARDINO COUNTY

WHEREAS:

1. On May 19, 2011, the Colorado River Basin Water Board adopted [Resolution No. R7-2011-0004](#) amending the Basin Plan to prohibit septic tank discharges in the Town of Yucca Valley, San Bernardino County.
2. The prohibition of septic tank discharges in the Town of Yucca Valley will protect the Municipal Supply (MUN) beneficial use of area aquifers by eliminating these discharges as sources of nitrate pollution to those aquifers.
3. The Colorado River Basin Water Board found that the analysis contained in the “Staff Report In Support Of A Basin Plan Amendment To Prohibit The Discharge Of Wastewater Into The Ground From Septic Systems In The Town Of Yucca Valley” (including all appendices), and the California Environmental Quality Act (CEQA) substitute environmental documentation for the proposed Basin Plan amendment (including the CEQA Checklist and the responses to comments prepared by the Colorado River Basin Water Board staff) complies with the requirements of the State Water Board’s certified regulatory CEQA process, as set forth in the California Code of Regulations, Title 23, section 3775 et seq.
4. 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; section 13242, which requires a program of implementation of water quality objectives, and section 13243, which authorizes Regional Water Quality Control Boards to specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted..
5. The State Water Board also finds that this regulatory action meets the “Necessity” standard set forth in Government Code section 11353, subdivision (b)(2)(C) of the Administrative Procedure Act.
6. The Colorado River Basin Water Board found that the Basin Plan amendment would not have a significant adverse effect on the environment since the prohibition will eliminate the source of contamination of the groundwater aquifer, thereby restoring water quality and attaining water quality standards. As such, the amendment is consistent with the Antidegradation Policy ([State Water Board Resolution No. 68-16](#)) and the federal Antidegradation Policy (40 CFR 131.12).
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).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Basin Plan, as adopted under Colorado River Basin Water Board Resolution No. R7-2011-0004.
2. Authorizes the Executive Officer or designee to submit the amendment adopted under Colorado River Basin Water Board Resolution No. R7-2011-0004, as approved, and the administrative record for this action 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 1, 2011.

AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board