

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2012-0018**

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE LAHONTAN REGION TO REPLACE THE REGIONWIDE PESTICIDE WATER QUALITY OBJECTIVE WITH A REGIONWIDE PESTICIDE WASTE DISCHARGE PROHIBITION WITH EXEMPTION CRITERIA FOR AQUATIC PESTICIDE USE

WHEREAS:

1. On December 7, 2011, the Regional Water Quality Control Board for the Lahontan Region (Lahontan Water Board) adopted [Resolution No. R6T-2011-0102](#), an amendment to the Water Quality Control Plan for the Lahontan Region ([Basin Plan amendment](#)), to replace the regionwide pesticide water quality objective with a regionwide pesticide waste discharge prohibition with exemption criteria for aquatic pesticide use.
2. The Lahontan Water Board found that the analysis contained in the California Environmental Quality Act (CEQA) "Substitute Environmental Documents" for the proposed Basin Plan amendment, including the CEQA checklist, the final staff report entitled "Staff Report and Substitute Environmental Documentation for Proposed Amendments to the Water Quality Control Plan for the Lahontan Region Revising the Regionwide Water Quality Objective to a Regionwide Waste Discharge Prohibition," and the responses to comments comply with the State Water Board's regulations for the implementation of CEQA, as set forth in the California Code of Regulation, Title 23, sections 3775 through 3781. The State Water Board has reviewed the Substitute Environmental Documents for the Basin Plan amendment and concurs with Lahontan Water Board's findings and determination including the Statement of Overriding Considerations.
3. The Lahontan Water Board also adopted the Basin Plan amendment pursuant to the "Necessity" standard of the Administrative Procedures Act, Government code section 11353, subdivision (b).
4. The Lahontan Water Board found the Basin Plan amendment is consistent with the Statement of Policy with Respect to Maintaining High Quality of Waters in California ([State Water Board Resolution No. 68-16](#)) and the federal Antidegradation Policy (40 C.F.R. § 131.12).
5. The State Board finds that the Basin Plan amendment is in conformance with Water Code section 13240, which specifies that regional water quality control board may revise basin plans, and section 13242, which requires a program of implementation for achieving water quality objectives.
6. 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). The Basin Plan amendment must also receive approval from the U.S. Environmental Protection Agency (U.S. EPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Basin Plan amendment adopted under Lahontan Water Board Resolution No. R6T-2011-0102.
2. Authorizes and directs the Executive Director or designee to submit the Basin Plan amendment adopted under Lahontan Water Board Resolution No. R6T-2011-0102 to OAL for approval of the regulatory provisions and the U.S. EPA for approval of the Basin Plan amendment.

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 May 15, 2012.

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