An act to add Section 13249.5 to the Water Code, relating to water quality.

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 13249.5 is added to the Water Code, immediately following Section 13249, to read:

13249.5. Notwithstanding Section 15300.2 of Title 14 of the California Code of Regulations, an action of the state board or a regional board taken pursuant to this article shall be deemed to be a Class 8 action, within the meaning of Section 15308 of Title 14 of the California Code of Regulations, provided that the action does not involve relaxation of existing water quality objectives.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Regional water quality control plans: California Environmental Quality Act exemptions: actions by regulatory agencies for protection of the environment.

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Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality. Existing law requires each regional board to formulate and adopt water quality control plans for all areas within the region, as provided.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

Existing law requires CEQA's implementing regulations to include a list of classes of projects that have been determined not to have a significant effect on the environment and therefore exempt from the provisions of CEQA. Existing implementing regulations define Class 8, actions by regulatory agencies for protection of the environment, as actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

This bill would classify an action of the state board or a regional board relating to regional water quality control plans as a Class 8 action, provided that the action does not involve relaxation of existing water quality objectives.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.