This action by the State Water Resources Control Board amends the Water Quality Control Plan (Basin Plan) for the Lahontan Region by modifying the beneficial uses for the Mojave River and its tributaries and makes other revisions to the Basin Plan. The State Water Resources Control Board approved the amendment under Resolution No. 2019-0053 on October 3, 2019.

OAL approves this regulatory action pursuant to section 11353 of the Government Code.

Date: March 3, 2020

Kevin D. Hull
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Eileen Sobeck, Executive Director
Copy: Daniel Sussman
A. PUBLICATION OF NOTICE  (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE  TITLE(S)  FIRST SECTION AFFECTED  2. REQUESTED PUBLICATION DATE

3. NOTICE TYPE  4. AGENCY CONTACT PERSON  TELEPHONE NUMBER  FAX NUMBER (Optional)

<table>
<thead>
<tr>
<th>OAL USE</th>
<th>ACTION ON PROPOSED NOTICE</th>
<th>NOTICE REGISTER NUMBER</th>
<th>PUBLICATION DATE</th>
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</thead>
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<tr>
<td>ONLY</td>
<td>Approved as Submitted</td>
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<td>Disapproved / Withdrawn</td>
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<td></td>
<td>Approved as Modified</td>
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</table>

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)  1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if taxes related)

<table>
<thead>
<tr>
<th>SECTION(S) AFFECTED</th>
<th>TITLE(S)</th>
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<tbody>
<tr>
<td>3959.9 AMEND</td>
<td>REPEAL</td>
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</table>

3. TYPE OF FILING

- Regular Rulemaking (Gov. Code §11346)
- Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11346.7 either before the emergency regulation was adopted or within the time period required by statute.
- Other (Specify) Govt Code §11353

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Govt. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11346.14, 11346.16; Cal. Code Regs., title 1, §600)

- Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- Effective on filing with Secretary of State
- Significant Changes Without Regulatory Effect (Cal. Code Regs., title 1, §5000)
- Other (Specify) (upon approval) Govt Code §11353

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRANCE BY, ANOTHER AGENCY OR ENTITY

- Department of Finance (Form STD. 399) (SAM §6660)
- Fair Political Practices Commission
- State Fire Marshall

7. CONTACT PERSON  TELEPHONE NUMBER  FAX NUMBER (Optional)  E-MAIL ADDRESS (Optional)

<table>
<thead>
<tr>
<th>NAME</th>
<th>TELEPHONE</th>
<th>FAX</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daniel Sussman</td>
<td>(530) 542-5466</td>
<td>(530) 544-2271</td>
<td><a href="mailto:daniel.sussman@waterboards.ca.gov">daniel.sussman@waterboards.ca.gov</a></td>
</tr>
</tbody>
</table>

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

<table>
<thead>
<tr>
<th>SIGNATURE OF AGENCY HEAD OR DESIGNEE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patty Z. Krusnak, Executive Officer</td>
<td>Jan 8, 2020</td>
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Concise Summary of Regulator Provisions

TITLE 23. Waters
Division 4. Regional Water Control Boards
Chapter 1. Water Quality Control Plans, Policies, and Guidelines
Article 6. Lahontan Region

The following section 3959.9 is to be added to Title 23 of the California Code of Regulations:

Section 3959.9 - Modify Beneficial Uses for the Mojave River and its Tributaries and Other Minor Revisions


Resolution No. R6T-2019-0246 modifies the beneficial uses for the Mojave River and its tributaries and makes other minor revisions to the Basin Plan. The Basin Plan amendment adds the Preservation of Biological Habitats of Special Significance (BIOL) and the Rare, Threatened, or Endangered Species (RARE) beneficial use designations to specific reaches of the Mojave River and its tributaries. It also removes the Cold Freshwater Habitat (COLD) beneficial use designation for a portion of the Mojave River. Additionally, the Basin Plan amendment updates language regarding federal Wild and Scenic Rivers in the Lahontan Region, adds language to highlight the protection of desert riparian habitat when planning off-highway vehicle routes, and makes a small number of technical revisions to improve clarity.