

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 94-44

APPROVAL OF A REVISED WATER QUALITY
CONTROL PLAN FOR THE CENTRAL COAST REGION

WHEREAS:

1. The Regional Water Quality Control Board, Central Coast Region (RWQCB), adopted a revised Water Quality Control Plan for the Central Coast Region (Basin Plan) on November 17, 1989, and the State Water Resources Control Board (SWRCB) approved the revised Basin Plan on August 16, 1990 under Resolution No. 90-87.
2. Section 303(c) of the Federal Clean Water Act requires that water quality standards be reviewed and revised if appropriate at least every three years, and Section 13240 of the California Water Code provides that Basin Plans be periodically reviewed and may be revised.
3. On February 11, 1994, RWQCB adopted Resolution No. 94-01 (Attachment) further revising the Basin Plan in the following areas:
 - a. Revised beneficial use definitions to be consistent with statewide format,
 - b. Designated beneficial uses for approximately 300 additional water bodies and revised beneficial use designations for approximately 150 water bodies,
 - c. Updated water quality objectives for organic chemicals,
 - d. Added water quality objectives for the Paso Robles ground water basin,
 - e. Updated RWQCB program descriptions,
 - f. Updated the list of SWRCB and RWQCB Plans and Policies,
 - g. Added a new section on Quality Control and Data Management, and
 - h. Added a description of the Water Quality Assessment.
4. A proposed amendment to footnote "a", pages II-2 through II-5, of the Basin Plan would violate provisions of the Federal Clean Water Act and, therefore, is not approvable.

5. RWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.).
6. RWQCB Resolution No. 94-01 was adopted in accordance with State laws and regulations.
7. Basin Plan amendments do not become effective until approved by SWRCB and until regulatory provisions are approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED:

That SWRCB:

1. Accepts RWQCB Resolution No. 94-01 as fulfillment of its Triennial Review.
2. Approves the revised Basin Plan, with the exception of proposed amendment to footnote "a", pages II-2 through II-5, adopted by RWQCB Resolution No. 94-01 on February 11, 1994 with the understanding that:
 - a. RWQCB shall continue to implement provisions of existing State and Federal law regarding the discharge of toxic pollutants. In particular, the RWQCB shall issue National Pollutant Discharge Elimination System permits in compliance with the Porter-Cologne Water Quality Control Act and applicable State and Federal regulations, including, but not limited to, 40 CFR, Section 122.44(d).
 - b. Within four months of SWRCB approval of the Central Coast Basin Plan, RWQCB shall initiate consultation with the Department of Fish and Game (DFG) under the California Endangered Species Act regarding the need for future Basin Plan amendments.
 - c. Within three years after DFG notifies RWQCB that specific water bodies support threatened or endangered species and that scientific evidence indicates that certain existing water quality objectives for these water bodies do not adequately protect such species, RWQCB shall determine, in consultation with DFG, whether these objectives are adequately protective. In cases where such existing objectives do not provide adequate protection for threatened and endangered species, RWQCB shall develop and adopt adequately protective site-specific objectives for these constituents.

3. Authorizes staff to forward the revised Basin Plan to the U.S. Environmental Protection Agency and the regulatory provisions to OAL for approval.

CERTIFICATION

The undersigned, Administrative Assistant 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 18, 1994.



Maureen Marché

Administrative Assistant to the Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

RESOLUTION NO. 94-01

ADOPTING AMENDMENTS TO THE WATER QUALITY CONTROL PLAN
AND REQUESTING APPROVAL FROM
THE STATE WATER RESOURCES CONTROL BOARD

WHEREAS:

1. The Federal Clean Water Act directs states to adopt water quality standards and to review them on a triennial basis. The California Water Code directs the Regional Water Quality Control Board (Regional Board) to adopt Water Quality Control Plans (Basin Plans) and to update them periodically.
2. The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was approved by the State Water Resources Control Board (State Board) on March 20, 1975 and a revised Basin Plan was approved by the State Board on August 16, 1990.
3. The State Board identified the need for comprehensive update of all Regional Board Basin Plans statewide and provided contract funding for a variety of studies to facilitate this process.
4. Several major Basin Plan amendments are proposed herein to partially satisfy Basin Plan Update Program requirements:
 - a. Revise Beneficial Use definitions to statewide consistent format.
 - b. Assign Beneficial Uses to approximately 300 water bodies and revise Beneficial Uses for approximately 150 water bodies.
 - c. Update organic chemicals objectives.
 - d. Add ground water objectives for the Paso Robles ground water basin.
 - e. Update Regional Board program descriptions.
 - f. Update State/Regional Board Plans and Policies.
 - g. Add description of Quality Control and Data Management.
 - h. Add description of Water Quality Assessment.

The specific amendment proposed is shown in Attachment "A".

5. Several additional minor changes (as described in Attachment "A") are also necessary to update the Basin Plan. Changes are proposed to clarify, edit, or correct the current Basin Plan.
6. This Basin Plan revision update process satisfies the federal triennial review requirements of Section 303 (c) of the Clean Water Act and the periodic review requirements of Water Code Act Section 12340.
7. Drafts of the proposed amendments have been prepared and distributed to interested persons and agencies for review and comment.
8. Regional Board staff has followed appropriate procedures to satisfy the environmental documentation requirements of both the California Environmental Quality Act, under Public Resources Code Section 21080.5 (Functional

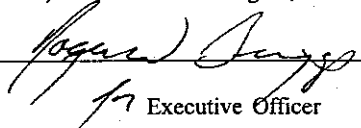
Equivalent) and the Federal Clean Water Act of 1977 (PL 92-500 and PL 95-217). The Regional Board finds adoption of these amendments will not have a significant adverse effect on the environment.

9. The State Board is required to adopt numerical water quality objectives for toxics in accordance with Section 303(C)(2)(b) of the Clean Water Act. The State Board adopted objectives in the California Inland Surface Waters Plan, April 1992, and the California Enclosed Bays and Estuaries Plan, April, 1991. These Plans are currently implemented by the Regional Board. These Plans are being contested in court. It is uncertain whether the Plans will be upheld in their current form.
10. State Board Plans are in effect after approval by the California Office of Administrative Law. These Plans supersede Basin Plans to the extent of any conflict. State Board Plans must be implemented by the Regional Board whether the Plans are referenced in the Basin Plan or not.
11. Amendment of the Administrative Procedure Act, Government Code Section 11340, requires Basin Plan amendments be submitted to the California Office of Administrative Law.
12. A "Summary of Necessity for the Regulatory Provisions (Attachment D)", has been prepared as required by the California Office of Administrative Law.
13. Regional Board staff consulted with the Department of Fish and Game regarding potential impacts of proposed Basin Plan revisions on fish and wildlife resources, and on threatened and endangered plant and animal species. The draft amendment has been revised in response to comments by Department of Fish and Game staff. The Department of Fish and Game has made a conditional determination of "no jeopardy" pursuant to the California Endangered Species Act. A finding of "no jeopardy" is conditioned upon the Regional Board implementing water quality objectives in accordance with Section 303(C)(1) of the Clean Water Act by June 1, 1995.
14. Due notice of public hearing was given by advertising in newspapers of general circulation within the Region.
15. On February 11, 1994, in the Regional Board held a public hearing and heard and considered all public testimony.

THEREFORE BE IT RESOLVED:

1. Based on the draft Basin Plan amendment, the environmental checklist, accompanying written documentation, and public comments received, the Regional Board finds that there is no substantial evidence in the record that adoption of the proposed Basin Plan amendment will have a significant effect on the environment.
2. The environmental document prepared by Regional Board staff pursuant to Public Resources Code Section 21080.5 is hereby certified. Following approval of the revised Basin Plan by the State Board, the Executive Officer shall file a Notice of Decision with the State Clearinghouse.
3. The Basin Plan amendment shown on Attachment "A" is approved. The amendments will not take effect until approved by the State Board and the Office of Administrative Law.
4. The Regional Board intends to implement water quality objectives adopted by the State Board in accordance with Section 303(C)(1) of the Clean Water Act by June 1, 1995.
5. Upon approval, the State Board is requested to transmit the amendment to the California Office of Administrative Law and the Environmental Protection Agency for approval.

I, WILLIAM R. LEONARD, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of the resolution adopted by the California Regional Water Quality Control Board, Central Coastal Region, on February 11, 1994.



Executive Officer