

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2000-108

ADOPTION OF THE PROPOSED AMENDMENTS TO
THE CALIFORNIA OCEAN PLAN
(OCEAN PLAN)

WHEREAS:

1. The Ocean Plan was adopted by the State Water Resources Control Board (SWRCB) in 1972 and amended in 1978, 1983, 1988, 1990, and 1997.
2. The SWRCB is responsible for reviewing Ocean Plan water quality standards and for modifying and adopting standards in accordance with Section 303(c)(1) of the federal Clean Water Act and Section 13170.2 of the California Water Code (CWC).
3. The SWRCB initiated a public review of the Ocean Plan in 1991, including a public hearing, and adopted a workplan in 1992 for considering issues identified by the comments received.
4. The SWRCB reviewed these issues and amended the Ocean Plan in 1997.
5. The SWRCB staff reviewed the high priority issues remaining from the 1992 Workplan, selected five issues for further analyses, and based upon this analysis proposed five additional amendments to the Ocean Plan.
6. The SWRCB staff has also identified a sixth issue consisting of minor administrative changes to the Ocean Plan to update terminology and references.
7. The proposed amendments are the following:
 - Issue 1: Replacement of the acute toxicity effluent limitation in Table "A" with an acute toxicity water quality objective.
 - Issue 2: Revision of chemical water quality objectives for protection of human health.
 - Issue 3: Addition of provisions for compliance determination for chemical water quality objectives.
 - Issue 4: Revisions of the format and organization of the Ocean Plan.

Issue 5: Development of special protection for water quality and designated uses specifying procedures for nomination and designation of special category waters.

Issue 6: Administrative changes to the Ocean Plan that include:

- a. Defining governmental agencies referenced in the Ocean Plan,
 - b. Defining dredged materials,
 - c. Describing the relationship of the Ocean Plan to other State plans and policies,
 - d. Updating the reference for the radioactivity water quality objective,
 - e. Changing the test method references for total and fecal bacteria and for acute toxicity,
 - f. Changing a subtitle in Appendix II, and
 - g. Changing the Ocean Plan's effective date.
8. The SWRCB prepared and circulated a draft Functional Equivalent Document (FED) in accordance with the provisions of the California Environmental Quality Act and Title 14, California Code of Regulations 15251(g).
 9. The SWRCB held three public hearings in Sacramento, Irvine, and Monterey in November and December of 1998. The SWRCB has carefully considered all testimony and comments received on this matter and has determined that the adoption of the proposed Ocean Plan amendments will not have a significant adverse effect on the environment.
 10. The SWRCB staff has prepared a draft Final FED, Attachment A to this resolution, which includes the specific proposed amendments to the Ocean Plan and responses to the comments received at the hearings.
 11. The SWRCB has considered relevant management agency agreements in accordance with CWC Section 13179.1.
 12. Amendments to the Ocean Plan do not become effective until approved by the Office of Administrative Law and the U.S. Environmental Protection Agency.

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the draft Final FED identified as Attachment A to the resolution, as revised at the November 16, 2000 Board Meeting.
2. Approves the proposed amendments to the Ocean Plan, as revised at the November 16, 2000 Board Meeting.

3. Agrees to reassess and modify as appropriate the Minimum Level values in Appendix II of the Ocean Plan during the triennial reviews to consider and reflect the availability and use of more sensitive analytical methods. Prior to adoption of new Minimum Levels, the SWRCB will consider environmental and economic effects.
4. Authorizes the SWRCB Executive Director to sign the Certificate of Fee Exemption identified as Attachment B to the resolution.
5. Authorizes the SWRCB staff to submit the amended Ocean Plan to the Office of Administrative Law and the U.S. Environmental Protection Agency for final 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 November 16, 2000.

/s/

Maureen Marché
Administrative Assistant to the Board