

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2004 - 0045**

**APPROVING AN AMENDMENT TO THE SAN FRANCISCO BAY BASIN
WATER QUALITY CONTROL PLAN TO UPDATE WATER QUALITY
OBJECTIVES AND NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) IMPLEMENTATION PROVISIONS**

WHEREAS:

1. The San Francisco Bay Regional Water Quality Control Board (Regional Board) adopted a revised Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) under Resolution No. 95-76 on June 21, 1995, which was approved by the State Water Resources Control Board (SWRCB) on July 20, 1995, by the Office of Administrative Law (OAL) on November 13, 1995, and by the U.S. Environmental Protection Agency (USEPA) on May 2, 2000.
2. On January 21, 2004, the Regional Board adopted Resolution No. R2-2004-0003 (Attachment) to amend the Basin Plan to revise water quality objectives for arsenic, cadmium, chromium, copper (freshwater only), lead, nickel, silver and zinc; and to revise definitions of fresh, estuarine, and marine waters to be consistent with the federal California Toxics Rule (40 CFR 131.38). The amendment also incorporates provision of the SWRCB "Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California," removes superseded and obsolete implementation provisions, and updates and clarifies text.
3. Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and other State laws and regulations.
4. The Regional Board found that the proposed water quality objectives are fully protective of the most sensitive aquatic life beneficial uses.
5. The Regional Board considered California Water Code section 13241 factors in establishing the water quality objectives and found that minimal economic impacts would result from the proposed amendment. The Regional Board further found that since the proposed water quality objectives are currently being met in the receiving waters, no additional treatment measures are necessary.
6. The Regional Board found that the amendment would be consistent with the State Antidegradation Policy (SWRCB Resolution No. 68-16).
7. A Basin Plan amendment does not become effective until approved by SWRCB and until the regulatory provisions are approved by OAL and surface water standards are approved by USEPA.

THEREFORE BE IT RESOLVED THAT:

SWRCB:

1. Approves the amendment to the Regional Board Basin Plan to update water quality objectives and NPDES implementation provisions as adopted by the Regional Board under Resolution No. R2-2004-0003 ([Attachment](#)).
2. Authorizes the Executive Director or designee to transmit the amendment and administrative record for this action to OAL and to USEPA for approval.

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 July 22, 2004.


Debbie Irvin
Clerk to the Board