

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2009-0072**

**ADOPTION OF PROPOSED AMENDMENTS TO
THE CALIFORNIA OCEAN PLAN**

WHEREAS:

1. The California Ocean Plan (Ocean Plan) was adopted by the State Water Resources Control Board (State Water Board) in 1972 and amended in 1978, 1983, 1988, 1990, 1997, 2001, and 2005.
2. The State Water Board 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.
3. On May 5, 2005, the State Water Board held a public hearing for the triennial review of the Ocean Plan to receive additional public comment for potential revisions of the Ocean Plan.
4. On June 26, 2007, the State Water Board held a scoping meeting regarding potential Ocean Plan amendments.
5. State Water Board staff is proposing non-substantive amendments to the Ocean Plan, and staff has prepared and circulated a draft Staff Report on April 3, 2009 that describes the proposed amendments, the basis for proposing the amendments, and legal requirements for reviewing and adopting those amendments.
6. The proposed amendments include adding maps of California's ocean waters and bays and estuaries, clarifying that metals are expressed as total recoverable metals, removing Section III (F)(1) on compliance schedules, correcting toxicity definitions and references in Appendix I, and updating the list of exceptions to the Ocean Plan in Appendix VII.
7. The [draft Final Staff Report](#) includes responses to the comments received prior to the close of the comment period on August 31, 2009. The specific proposed amendments to the Ocean Plan are in [Appendix A](#) to the draft Final Staff Report.
8. Adoption of the proposed amendments is not subject to the California Environmental Quality Act, Public Resources Code §21000 et seq., because there is no possibility that adoption of the amendments may have a significant effect on the environment.
9. These amendments to the Ocean Plan do not become effective until approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Adopts the amendments to the Ocean Plan as shown in [Appendix A](#).
2. Approves the draft [Final Staff Report](#) with Responses to Comments as the Final Staff Report.
3. Directs State Water Board staff to submit the amended Ocean Plan to OAL for final 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 Board held on September 15, 2009.

AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc

NAY: None

ABSENT: Board Member Arthur G. Baggett, Jr.

ABSTAIN: None



Jeanine Townsend
Clerk to the Board