

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Sarah Raker)
MEETING DATE: November 16, 2005

ITEM: 7B

SUBJECT: **Proposed Amendment to the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) for the 2005 General Update with Non-regulatory Revisions – Adoption of Tentative Resolution Approving Basin Plan Amendment**

CHRONOLOGY: June 1995 – Most recent general update of San Francisco Bay Basin Plan
August 2005 – Public Notice of proposed Basin Plan amendment
October 19, 2005 – Public Hearing

DISCUSSION: At this hearing the Board will be asked to adopt a Resolution (Appendix A) that will amend the Basin Plan with non-regulatory changes and provide more current program descriptions for surface water, groundwater, and wetlands. This proposed Basin Plan amendment does not contain any proposed changes in regulations or any changes in surface water quality objectives. Rather, it contains information, corrections, and general references and therefore does not require scientific peer review or CEQA analysis. The new language and revised tables and figures are intended solely for the convenience of the Basin Plan user.

Since the public hearing on October 19, 2005, Water Board staff met with State Water Board staff to discuss specific references in the proposed Basin Plan amendment that might be interpreted as regulatory by the Office of Administrative Law. In keeping with the general purpose of the proposed Basin Plan amendment to make non-regulatory changes, the amendment has been revised per State Water Board recommendations (Appendix B). This is the only change to the amendment since the October public hearing.

At the October public hearing, a commenter requested that the amendment include a change in the beneficial use of a specific water body. As noted at that hearing and consistent with our response to written comments received earlier, such a change would be considered regulatory and not within the intent to make this amendment only non-regulatory in nature. The comment was noted and will be evaluated when regulatory changes to the Basin Plan are considered in the future. As such, we feel we have appropriately addressed all comments on this proposed Basin Plan amendment and expect it to remain non-controversial.

**RECOMMEN-
DATION:**

Adopt the Tentative Resolution

APPENDICES:

A. Tentative Resolution with Proposed Basin Plan Amendment showing changes (Exhibit A) – Board Members Only

B. Basin Plan Amendment changes made since the October 19, 2005, public hearing

File No 1591.10 (SMM)