

STATE WATER BOARD
RESOLUTION NO. 2005-0013

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

WHEREAS:

1. The Ocean Plan was adopted by the State Water Board in 1972 and amended in 1978, 1983, 1988, 1990, 1997, and 2001.
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 (CWC).
3. The State Water Board held scoping meetings regarding four potential Ocean Plan amendments on January 23, 2004 and February 3, 2004.
4. The State Water Board held a public hearing for the Triennial Review of the Ocean Plan on May 24, 2004 to receive additional public comment for potential revisions of the Ocean Plan.
5. State Water Board staff is proposing an amendment to the Ocean Plan regarding water contact bacterial standards as the first issue to be considered for this Triennial Review.
6. The State Water Board 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).
7. The State Water Board held a public hearing in Sacramento on October 6, 2004. The State Water Board determined that the bacterial issue needed more consideration and deferred a decision until the January 2005 workshop.
8. On December 16, 2004, the U.S. Environmental Protection Agency (USEPA) adopted the Water Quality Standards for Coastal and Great Lakes Recreation Waters; Final Rule. This rule establishes enterococcus criteria for California's coastal waters, including bays and estuaries.
9. The State Water Board staff has prepared a draft Final FED, an Attachment to this resolution, which includes the specific proposed amendment to the Ocean Plan and responses to the comments received at the hearing. The proposed amendments are identical to USEPA's geometric mean and single sample maximum criteria.
10. Amendments to the Ocean Plan do not become effective until approved by the Office of Administrative Law (OAL) and USEPA.

THEREFORE BE IT RESOLVED THAT THE STATE WATER BOARD:

1. Revises the bacterial water quality objectives for ocean waters in Chapter II, Section B of the Ocean Plan as shown in the [Attachment](#) (Final FED Amendment of the Water Quality Control Plan Ocean Waters of California).
2. Approves the draft Final FED as part of the Attachment to the resolution.
3. Authorizes the State Water Board's Executive Director to sign the Certificate of Fee Exemption.

4. Authorizes the State Water Board staff to submit the amended Ocean Plan to OAL and USEPA 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 January 20, 2005.



Debbie Irvin
Clerk to the Board