

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION - DIVISION OF WATER QUALITY
MARCH 15, 2011**

ITEM 6

SUBJECT

CONSIDERATION OF A RESOLUTION ADOPTING THE CALIFORNIA OCEAN PLAN (OCEAN PLAN) TRIENNIAL REVIEW GLOBAL WORKPLAN 2011-2013

DISCUSSION

Federal law [Section 303(c)(1) of the Clean Water Act] and State law [Section 13170.2(b) of the California Water Code] require ocean water quality standards to be reviewed at least once every three years. The purpose of the triennial review of the Ocean Plan is to ensure the continued adequacy of water quality standards.

A Public Hearing on September 22, 2010 initiated the Ocean Plan triennial review process. The purpose of the Public Hearing was to solicit comments from the public regarding any and all issues relevant to the Ocean Plan. For example, comments were received for unresolved issues from previous triennial reviews.

Based upon input received during the public review period, staff prepared a Workplan for State Water Board consideration and adoption. The Workplan defines the scope of the current review of the Ocean Plan. For each issue, a brief summary describes the rationale for the selection of the issue. State Water Board staff has recommended prioritized options for each issue and a budget identifying the resources necessary to complete the review and resolve the issue. Due to fiscal constraints, only the higher priority issues approved for review will likely be addressed over the next three-year period, following State Water Board adoption of the Workplan. As issues are resolved, the Ocean Plan will be amended, as necessary, in accordance with State and federal laws and regulations.

POLICY ISSUE

Should the State Water Board adopt the California Ocean Plan Triennial Review Workplan 2011-2013 in accordance with the Staff Recommendation below?

FISCAL IMPACT

State Water Board staff work associated with or resulting from this action will be addressed within existing and future budgeted resources.

REGIONAL BOARD IMPACT

All coastal Regional Water Boards.

STAFF RECOMMENDATION

That the State Water Board:

1. Adopts the Ocean Plan Triennial Review Workplan 2011-2013 and authorizes the Executive Director to transmit the Workplan to the U.S. Environmental Protection Agency, Region 9, in compliance with Section 303(c)(1) of the Clean Water Act.
2. Directs staff to review each of the higher priority issues and make recommendations to the State Water Board for any necessary changes to the Ocean Plan.
3. Affirms that the 2009 Ocean Plan, as it currently exists, remains effective until such time as it is changed by formal action of the State Water Board.
4. Affirms that issues associated with previous Ocean Plan triennial reviews are either resolved or incorporated into this 2011-2013 Triennial Review.

State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012 to comprehensively address water quality protection and restoration, and the relationship between water supply and water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes. In particular, approval of this item will assist in fulfilling Objective 4.2 [Basin Plans are consistently organized by 2012, and updated by 2015, to provide a clear structure that readily conveys key elements (e.g., beneficial uses, potential impacts of climate change, water quality objectives, goals for watersheds, plans for achieving those goals, and monitoring to inform and adjust the plans) and that fully integrates other statewide plans and policies such as the California Ocean Plan].

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2011-

ADOPTING THE CALIFORNIA OCEAN PLAN (OCEAN PLAN) TRIENNIAL REVIEW AND WORKPLAN 2011-2013

WHEREAS:

1. The State Water Resources Control Board (State Water Board) adopted the Ocean Plan in 1972 and revised it in 1978, 1983, 1988, 1990, 1997, 2001, 2005 and 2009.
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(b) of the California Water Code.
3. The State Water Board conducted a public hearing in Sacramento on September 22, 2010 to solicit comments regarding the review and revision of water quality standards contained in the Ocean Plan and has reviewed and considered carefully all comments and testimony received.
4. State Water Board staff proposed a prioritized list of issues that will be reviewed within the next three years, contingent on the availability of resources.

THEREFORE BE IT RESOLVED THAT:

The State Water Board

1. Adopts the Ocean Plan Triennial Review Workplan 2011-2013 ([Attachment](#)) and authorizes the Executive Director to transmit the Workplan to the U.S. Environmental Protection Agency, Region 9, in compliance with Section 303(c)(1) of the Clean Water Act.
2. Directs staff to review each of the higher priority issues and makes recommendations to the State Water Board for any necessary changes to the Ocean Plan.
3. Affirms that the 2009 Ocean Plan, as it currently exists, remains effective until such time as it is changed by formal action of the State Water Board.
4. Affirms that issues associated with previous Ocean Plan triennial reviews are either resolved or incorporated into this 2011-2013 Triennial Review.

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 March 15, 2011.

Jeanine Townsend
Clerk to the Board