

STATE WATER RESOURCES CONTROL BOARD  
**RESOLUTION NO. 2004-0040**

APPROVING AND REMANDING A PORTION OF  
AN AMENDMENT TO THE WATER QUALITY  
CONTROL PLAN FOR THE NORTH COAST REGION  
TO INCORPORATE REVISED BENEFICIAL USES

WHEREAS:

1. The North Coast Regional Water Quality Control Board (Regional Board) revised its Water Quality Control Plan for the North Coast Region (Basin Plan) under Resolution No. 93-89 on December 9, 1993, which was approved by the State Water Resources Control Board (SWRCB) on March 21, 1994, by the Office of Administrative Law (OAL) on August 18, 1994, and by the U.S. Environmental Protection Agency (USEPA) on May 29, 2000.
2. On June 26, 2003, the Regional Board adopted Resolution No. R1-2003-0052 (Attachment 1) amending the Basin Plan to incorporate revised Beneficial Uses to Chapter 2, Beneficial Uses.
3. SWRCB finds that the Basin Plan amendment to incorporate revised Beneficial Uses to Chapter 2, Beneficial Uses, is in conformance with the requirements of Water Code section 13240, which specifies that Regional Water Quality Control Boards shall periodically review and may revise Basin Plans.
4. Regional Board Resolution No. R1-2003-0052 delegated to the Regional Board Executive Officer authority to make minor, non-substantive corrections to the adopted amendment if needed for clarity or consistency. The Regional Board Executive Officer has made the necessary corrections to the amendment (Attachment 2).
5. SWRCB finds that a definition for subsistence fishing that can be applied consistently statewide should be developed; therefore, SWRCB disapproves the addition of the word 'subsistence' in the Regional Board's revised definition for the existing beneficial use Commercial and Sport Fishing (COMM). In addition, SWRCB remands the proposed new title and definition for the beneficial use Biologically Significant Areas (BSA) (replacing the beneficial use Preservation of Areas of Special Biological Significance [BIOL]) and explanatory language regarding BSA.
6. Regional Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act and all other applicable State laws and regulations.

7. A Basin Plan amendment does not become effective until approved by SWRCB and until the regulatory provisions are approved by OAL. A standards revision must also be approved by USEPA.

THEREFORE BE IT RESOLVED THAT:

SWRCB

1. Except as provided in No. 2 below, approves the amendment to the North Coast Region Basin Plan revising Chapter 2, Beneficial Uses, as adopted under Regional Board Resolution No. R1-2003-0052 (Attachment 1), and as clarified by the Regional Board Executive Officer's memorandum of February 27, 2004 (Attachment 2), with the exception of the addition of the word 'subsistence' in the revised definition for the beneficial use Commercial and Sport Fishing.
2. Remands the proposed new title and definition for the beneficial use Biologically Significant Areas (BSA) (intended as a replacement for the existing beneficial use Preservation of Areas of Special Biological Significance [BIOL]) and remands the explanatory language on pages 2-14.00 through 2-17.00 under the subheading Designation of the "Biologically Significant Areas" Beneficial Use.
3. Authorizes the Executive Director or designee to submit the amendment and administrative record as adopted under Regional Board Resolution No. R1-2003-0052, as corrected by the Regional Board Executive Officer, and as approved by SWRCB to OAL, and the standards action 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 June 17, 2004.

  
Debbie Irvin  
Clerk to the Board