

**California Regional Water Quality Control Board  
North Coast Region**

**RESOLUTION NO. R1 2003-0052**

**June 26, 2003**

**ADOPTING AN AMENDMENT TO THE  
WATER QUALITY CONTROL PLAN FOR THE NORTH COAST REGION  
CHAPTER 2, BENEFICIAL USES**

- WHEREAS, in accordance with Section 13240 et seq. of the CALIFORNIA WATER CODE, the California Regional Water Quality Control Board North Coast Region, (Regional Water Board), caused to be developed a Water Quality Control Plan for the North Coast Region; and
- WHEREAS, The Regional Water Board, acting in accord with Section 13244 of the CALIFORNIA WATER CODE, adopted Water Quality Control Plans (Basin Plans) for the Klamath River Basin (1A) and the North Coastal Basin (1B) on March 20, 1975. The Klamath River Basin Plan (1A) was combined with the North Coastal Basin Plan (1B) to form *The Water Quality Control Plan for the North Coast Region* (Basin Plan) on April 28, 1988; and
- WHEREAS, Section 13240 of the California Water Code specifies that Basin Plans be periodically reviewed and, if appropriate, revised; and
- WHEREAS, the Regional Water Board periodically considers changes to this Basin Plan as necessary; and
- WHEREAS, a Staff Report entitled, "The Basin Plan Amendment to Revise the Beneficial Uses Chapter of the Basin Plan (Chapter 2)," dated March 4, 2003 (Exhibit B), describing the proposed amendment (Exhibit A) and containing environmental documentation functionally equivalent to the California Environmental Quality Act requirements was transmitted to interested individuals and public agencies for review and comment; and
- WHEREAS, the Regional Water Board has determined that the proposed amendment will not have a significant adverse effect on the environment; and
- WHEREAS, Regional Water Board staff held public workshops on March 11<sup>th</sup>, 12<sup>th</sup>, and 19<sup>th</sup>, 2003 and carefully considered all comments received on this matter; and
- WHEREAS, a copy of the Notice of Filing (Attachment 2) was sent to the following agencies and persons: (1) federal, state and local agencies who have jurisdiction by law or expertise with respect to the subject of the proposed basin plan amendment; (2) anyone who has requested notification or who the staff believes

would be interested in the proposed amendment; and (3) the Resources Secretary; and

WHEREAS, the Regional Water Board held public hearings on May 15, 2003 and June 26, 2003 for the purpose of receiving testimony on the Basin Plan amendment described in the March 4, 2003 Regional Water Board Staff Report, "The Basin Plan Amendment to Revise the Beneficial Use Chapter" (Chapter 2), and as subsequently amended in response to comments, modified, and ultimately approved by the Regional Water Board, as set out in Exhibit A hereto; and

WHEREAS, this amendment to the Basin Plan was developed in accordance with California Water Code Section 13240 et seq.; and

WHEREAS, the Regional Water Board has determined that the proposed amendment would be consistent with State Water Resources Control Board (SWRCB) Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California", and the Federal Antidegradation Policy.

THEREFORE, BE IT FURTHER RESOLVED that pursuant to Sections 13240 and 13241 of the California Water Code, the Regional Water Board, after considering the entire record, including oral testimony at the hearing, hereby adopts the amendment to *The Water Quality Control Plan for the North Coast Region* as presented in Exhibit A, including the following:

1. Chapter 2 (Beneficial Uses) is modified, as shown in Exhibit A; which includes, but is not limited to the following changes:
  - A. Table 2-1, "Beneficial Uses of Waters," appearing in Chapter 2, Beneficial Uses, is modified to reflect the existing and potential beneficial uses on a more refined scale, as shown in Exhibit A and explained in Exhibit B;
  - B. The beneficial use definition for Commercial and Sport Fishing (COMM) in Chapter 2, Beneficial Uses, is modified as follows<sup>1</sup>:

Commercial and Sport Fishing (COMM) - Uses of water for commercial, recreational (sport) collection of fish, shellfish, or other aquatic organisms including, but not limited to, uses involving organisms intended for human consumption, subsistence and/or bait purposes.

- C. The beneficial use definition for Preservation of Areas of Special Biological Significance (BIOL) in Chapter 2, Beneficial Uses, is revised in Exhibits A and B and as follows:

Biologically Significant Areas (BSA) - Uses of water that support areas or habitats that have been designated as biologically significant, such as established refuges, parks,

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<sup>1</sup> Underline indicates text added by this amendment.

sanctuaries, ecological reserves, and State Water Quality Protection Areas (SWQPAs, formerly known as Areas of Special Biological Significance (ASBS)), where the preservation of natural resources requires special protection.

- D. Three new wetland beneficial uses: Water Quality Enhancement (WQE), Flood Peak Attenuation/Flood Water Storage (FLD), and Wetland Habitat (WET), are added as defined in Exhibits A and B.
  - E. A new beneficial use: Native American Cultural (CUL) is added as defined in Exhibits A and B.
  - F. Recognition of wetlands as waters of the State and of the United States and descriptions of saline and freshwater wetland types have been added as shown in Exhibits A and B.
  - G. A definition of groundwater, including saturated and unsaturated components, has been added as described in Exhibits A and B.
2. The Executive Officer is directed to forward copies of the Basin Plan Amendment to the SWRCB in accordance with the requirements of Section 13245 of the California Water Code.
  3. The Regional Water Board requests that the SWRCB approve the Beneficial Use Basin Plan Amendment in accordance with the requirements of Sections 13245 and 13246 of the California Water Code and forward it to the Office of Administrative Law (OAL) and the U.S. Environment Protection Agency.
  4. If during the approval process the SWRCB or OAL determines that minor, non-substantive corrections to the language of the amendment are needed for clarity or consistency, the Executive Officer may make such changes, and shall inform the Board of any such changes.
  5. The Executive Officer is authorized to sign a Certificate of Fee Exemption for a “De Minimis” Impact Finding.

I, Susan A. Warner, Executive Officer,  
do hereby certify the foregoing is a full, true,  
and correct copy of a Resolution adopted by the  
California Regional Water Quality Control Board,  
North Coast Region, on June 26, 2003.

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Susan A. Warner  
Executive Officer