

California Regional Water Quality Control Board
Santa Ana Region

June 15, 2012

ITEM: 16

SUBJECT: Public Hearing – Basin Plan Amendments: Recreational Standards for Inland Surface Waters (continuation of March 16, 2012 and April 27, 2012 hearing on the proposed amendments) – Supplemental Staff Report

DISCUSSION:

At the March 16, 2012 Regional Board meeting, Board staff and a consultant to the Stormwater Quality Standards Task Force presented in detail the proposed recreation standards amendments to the Basin Plan. Consideration of approval of those amendments was postponed to allow further discussion with staff of the U.S. Environmental Protection Agency, Region 9 (USEPA) to resolve concerns expressed by USEPA.

At the April 27, 2012 Regional Board meeting, Board staff described the results of the discussion with USEPA and identified proposed changes to the amendments that were shown in an Errata Sheet (dated April 23, 2012). Additional comments on the proposed amendments were provided by Heal the Bay (oral comments) and USEPA (written comments dated April 25, 2012). Other speakers provided additional information regarding BMP implementation in the Region and certain clarifications to address comments from other parties on the Use Attainability Analysis components of the proposed amendments. These other speakers indicated their support for the proposed amendments. Regional Board staff provided the recommendation to approve the proposed amendments, as revised by the Errata sheet and with an additional change in the position of an asterisk in the name of the REC1 and REC2 beneficial uses. However, Regional Board consideration of the amendments, with the changes identified in the Errata Sheet and with the additional modification of the asterisk, was postponed due to the lack of a quorum.

Regional Board staff has prepared a revised Errata sheet to incorporate the change in the asterisk discussed at the April 27, 2012 meeting. Further, Board staff has prepared responses to the additional oral comments presented by Heal the Bay at the April 27, 2012 meeting, and to the April 25, 2012 written comments submitted by USEPA. The oral comments from Heal the Bay are summarized in the attached response to comments document. The USEPA written comments are attached to this report, together with Board staff's response.

RECOMMENDATION:

Board staff recommends that the Regional Board adopt Resolution No. R8-2012-0001, thereby:

- (1) Confirming the preliminary determination by Regional Board staff that the proposed amendments could not have a significant effect on the environment and certifying the environmental checklist and analysis document (Attachment C to the January 12, 2012 staff report); and,
- (2) Adopting the Basin Plan amendments delineated in Attachment 1 and Attachment 2 to Resolution No. R8-2012-0001, as modified by the Errata Sheet.

- Attachments:**
- (1) Errata Sheet (dated May 29, 2012)
 - (2) USEPA comments dated April 25, 2012
 - (3) Board staff responses to the USEPA comments dated April 25, 2012.
 - (4) Board staff responses to Heal the Bay oral comments, presented on April 27, 2012.