

California Regional Water Quality Control Board  
North Coast Region

RESOLUTION NO. R1-2004-0092

*Amending the Water Quality Control Plan  
for the North Coast Region to Summarize Existing Antidegradation Objectives*

- WHEREAS,** In accordance with Section 13240 et seq. of the California Water Code (CWC), the California Regional Water Quality Control Board (Regional Water Board), North Coast Region, caused to be developed a *Water Quality Control Plan for the North Coast Water Quality Control Region*; and;
- WHEREAS,** The Regional Water Board, acting in accord with Section 13244 of the CWC, 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,** The state Antidegradation Policy (Resolution 68-16), applies to all waters of the state, including ground waters of the state, whose quality meets or exceeds (is better than) water quality objectives.
- WHEREAS,** The federal Antidegradation Policy, as incorporated into Resolution 68-16 by the State Water Resources Control Board, applies to waters of the United States, regardless of quality.
- WHEREAS,** Where they apply, Resolution 68-16 and the federal Antidegradation Policy require that certain findings be made before an adverse change to water quality can be permitted.
- WHEREAS,** Both the state and federal antidegradation policies are existing standards that are applicable independent of this Basin Plan amendment.
- WHEREAS,** The amendment language is declaratory of existing law and serves only to summarize the state and federal antidegradation policies.
- WHEREAS,** The Regional Water Board prepared and distributed a staff report regarding adoption of the Basin Plan amendment in accordance with applicable state and federal environmental regulations (California Code of Regulations, Section 3775, Title 23, and 40 CFR Parts 25 and 131); and:

- WHEREAS,** The process of basin planning has been certified by the Secretary for Resources as exempt from the requirement of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) to prepare an Environmental Impact Report (EIR) or Negative Declaration. The Basin Plan amendment package includes staff reports, an Environmental Checklist, an assessment of the potential environmental impacts of the Basin Plan amendment, and a discussion of alternatives. The Basin Plan amendment, Environmental Checklist, staff reports, and supporting documentation are functionally equivalent to an EIR or Negative Declaration; and;
- WHEREAS,** On March 16, 2004 the Regional Water Board held a CEQA Scoping Meeting to initiate comments from the public, other agencies and Board, and on October 5, 2004, the Regional Water Board held a workshop to take public comment on and discuss the Basin Plan amendment; and
- WHEREAS,** On November 29, 2004, the Regional Water Board held a Public Hearing to consider the Basin Plan amendment. Notice of the Public Hearing was given to all interested persons and published in accordance with CWC Section 13244; and;
- WHEREAS,** The Basin Plan amendment must be submitted for review and approval by the State Water Board, State's Office of Administrative Law (OAL) and the U.S. EPA. Once approved by the State Water Board, the amendment is submitted to OAL and U.S. EPA. The Basin Plan amendment will become effective upon approval by OAL and U.S. EPA. A Notice of Decision will be filed.

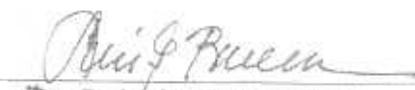
**THEREFORE, BE IT RESOLVED THAT:**

- The Regional Water Board finds that there will be no significant adverse environmental impacts resulting from the Basin Plan amendment.
2. The Regional Water Board finds that after considering the entire record, including oral testimony at the hearing, pursuant to Sections 13240 and 13241 of the CWC, hereby adopts the amendment to the *Water Quality Control Plan for the North Coast Water Quality Control Region (Region 1)* as set forth in the attachment.
- The Executive Officer is directed to forward copies of the Basin Plan amendment to the State Water Board in accordance with the requirement of Section 13245 of the CWC.
4. The Regional Water Board requests that the State Water Board approve the Basin Plan amendment in accordance with the requirements of Sections 13245 and 13246 of the CWC and forward it to the OAL and the U.S. EPA for approval.

5. If during its approval process the State Water Board 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.
6. The Executive Officer is authorized to sign a Certificate of Fee Exemption.

Certification

I, Catherine Kuhlman, Executive Officer, do hereby certify that 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 November 29, 2004.

  
for Catherine E. Kuhlman  
Executive Officer