

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION - DIVISION OF WATER QUALITY
MAY 1, 2012**

ITEM 4

SUBJECT

PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CALIFORNIA OCEAN PLAN REGARDING DESIGNATING STATE WATER QUALITY PROTECTION AREAS TO PROTECT STATE MARINE PROTECTED AREAS

DISCUSSION

The Ocean Plan establishes water quality standards for California's ocean waters and provides the basis for regulation of wastes discharged into the State's near-coastal ocean waters. The Ocean Plan applies to point and nonpoint source discharges.

[Section 13170.2 of the California Water Code](#) directs the State Water Board to formulate and adopt a water quality control plan for ocean waters of California. The State Water Board first adopted the Ocean Plan in 1972. The current 2009 Ocean Plan is available from the State Water Board's Web site at:

http://www.waterboards.ca.gov/water_issues/programs/ocean/index.shtml.

The proposed Ocean Plan amendments for this public hearing were initiated in response to [State Water Board Resolution 2010-0057](#), adopted on November 16, 2010, and the State Water Board's California Ocean Plan Triennial Review Workplan adopted March 15, 2011 under [State Water Board Resolution 2011-0013](#). Resolution 2010-0057 directs staff to develop an approach for establishing State Water Quality Protection Areas (SWQPA) that are not intended to be designated as Areas of Special Biological Significance (ASBS). A public scoping meeting was held July 8, 2011 to receive input on the content and analysis. Resolution 2011-0013, issue 1, describes how the Ocean Plan contains no specific requirements for SWQPAs that are not ASBS.

The proposed amendments if adopted would establish criteria for designating SWQPAs, including controls and prohibitions applicable to existing and future point source and nonpoint source discharges to protect water quality in these areas. The proposed amendments would also protect specific types of discharges from more stringent permit conditions based upon the designation of MPAs in the vicinity of these discharges.

The proposed amendments do not attempt to alter or affect existing Ocean Plan provisions protecting SWQPAs now designated as ASBS. The proposed amendments also do not designate new SWQPAs and are not expected to result in significant adverse impacts on the environment.

POLICY ISSUE

There will be no action on this item today. The Public Hearing is being held only to receive public testimony on proposed amendments to the California Ocean Plan related to SWQPAs and MPAs, and the Draft Substitute Environmental Documentation for the proposed amendments.

State Water Board action on this item will assist the Water Boards in reaching Goals 4 and 6 of the Strategic Plan Update: 2008-2012, to comprehensively address water quality protection and restoration, and to enhance consistency across the Water Boards. In particular, these amendments to the Ocean Plan 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.)