

California Regional Water Quality Control Board  
North Coast Region

Resolution No. 98-66  
(Revised December 10, 1998)

Amending the *Water Quality Control Plan for the North Coast Region*  
to Include Relevant Portions of the  
*Garcia River Watershed*  
*Water Quality Attainment Strategy for Sediment* (December 1997)

- WHEREAS, The California Regional Water Quality Control Board, North Coast Region (Regional Water Board) last amended the *Water Quality Control Plan for the North Coast Region* (Basin Plan) on May 28, 1998. The Basin Plan includes water quality objectives, implementation plans for point source and nonpoint source discharges, and statewide plans and policies; and
- WHEREAS, Section 303(d) of the Clean Water Act requires states to identify and to prepare a list of water bodies that do not meet water quality objectives and then to establish load and waste load allocations, or a total maximum daily load, for each water body which will ensure attainment of water quality objectives and then to incorporate those allocations into their water quality control plans; and
- WHEREAS, On October 19, 1993, the United States Environmental Protection Agency, Region IX (USEPA) placed the Garcia River watershed on the Section 303(d) list, due to impairment and/or threat of impairment of water quality by sediment; and
- WHEREAS, Accelerated sedimentation has been identified as impacting the beneficial uses of the Garcia River watershed which include cold freshwater habitat, spawning, reproduction, and early development of cold water fish such as coho and steelhead, and estuarine habitat; and
- WHEREAS, As a result of the placement of the Garcia River watershed on the Section 303(d) list, landowners, land managers, interested groups, other members of the public and resource protection agencies provided input on the development of the *Garcia River Watershed Water Quality Attainment Strategy for Sediment, December 9, 1997* (Strategy). The Strategy provides a description of the factors impacting the cold water fishery, an assessment of the sources of sediment in the Garcia River watershed, an implementation plan for reducing accelerated sediment delivery to the Garcia River, and a monitoring program; and
- WHEREAS, On March 16, 1998, the USEPA promulgated a Garcia River Sediment Total Maximum Daily Load (TMDL) in order to fulfill its obligations under the federal Clean Water Act and in order to comply with an extended date for compliance set forth in a consent decree which resulted from a lawsuit against the USEPA by the Pacific Coast Federation of Fishermen's Association *et al.* The TMDL utilized much but not all of the information and analysis contained in the Strategy. The TMDL contains neither an implementation plan nor a monitoring plan, two necessary elements of a water quality control strategy; and

- WHEREAS, The Regional Water Board submitted the Strategy and a corresponding proposed Basin Plan amendment to an external scientific review panel. On January 19, 1998, the review panel submitted its response to the Regional Water Board, which stated that in general, the Strategy and proposed Basin Plan amendment presented a rational portrayal of current knowledge about the Garcia River watershed. In addition, the panel provided several specific areas of concern. The Regional Water Board revised the proposed Basin Plan amendment in response to the comments submitted by the review panel, or provided a written response which explained its basis for not incorporating their comments; and
- WHEREAS, On January 22, 1998, the Regional Water Board conducted a public hearing to consider the Strategy and consider including relevant portions of the Strategy as a TMDL for the Garcia River watershed into the Basin Plan. The Regional Water Board received considerable public comment at the public hearing, and closed the public hearing without action; and
- WHEREAS, On May 28, 1998 the Regional Water Board conducted a second public hearing to consider amendment of the Basin Plan to include relevant portions of the Strategy (Strategy Summary) as a TMDL for the Garcia River watershed and to incorporate proposed changes to the Strategy Summary resulting from the many comments provided in the January 22, 1998 public hearing. As a result of public comment, the proposed Basin Plan amendment was revised at the hearing prior to the Regional Water Board's action; and
- WHEREAS, The Regional Water Board adopted Resolution No. 98-66 to amend the Basin Plan to include a the revised, proposed Basin Plan amendment; and
- WHEREAS, On June 12, 1998, the Regional Water Board distributed the adopted Basin Plan amendment, including the last minute changes incorporated at the May 28, 1998 hearing; and
- WHEREAS, Upon review of the adopted Basin Plan amendment, various minor errors and inconsistencies were discovered that required further revision; and
- WHEREAS, A Notice of Filing and Public Hearing, a Staff Report containing the proposed revisions to the Basin Plan amendment adopted on May 28, 1998, and environmental documentation functionally equivalent to the California Environmental Quality Act requirements were transmitted to interested individuals and public agencies for review and comment; and
- WHEREAS, The Regional Water Board submitted the Staff Report, including the revised proposed Basin Plan amendment to an external scientific review panel; and
- WHEREAS, The Regional Water Board has determined that compliance with the proposed revised Basin Plan amendment, containing the revised Strategy Summary will attain and maintain the applicable water quality objectives for sediment and restore and protect beneficial uses.

WHEREAS, The Regional Water Board held a public hearing on December 10, 1998, and carefully considered all testimony and comments received on this matter; and hereby finds that the revised Strategy Summary will not have a significant effect on the environment.

THEREFORE, BE IT RESOLVED, that the amendment to the *Water Quality Control Plan for the North Coast Region* adopted on May 28, 1998 as Resolution No. 98-66 be revised due to its containing minor errors and inconsistencies.

BE IT FURTHER RESOLVED, that Section 4, Implementation Plans, Nonpoint Source Measures of the *Water Quality Control Plan for the North Coast Region* be amended to include at the end of the Section, the revised Strategy Summary which is included in Attachment 1 to this Resolution No.98- 66.

BE IT FURTHER RESOLVED, that considering the record as a whole, this Basin Plan amendment will involve no potential for adverse effect, either individually or cumulatively on wildlife. Therefore, the Executive Officer is directed to sign a Certificate of Fee Exemption for a “De Minimis” Impact Finding.

Certification

I, Lee A. Michlin, 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 December 10, 1998.

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Lee A. Michlin  
Executive Officer

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