

Executive Officer's Summary Report
1:30 p.m., June 3, 2009
North Coast Regional Water Board
David C. Joseph Hearing Room
5550 Skylane Blvd., Suite A
Santa Rosa, California

Item: 2

Subject: Public Hearing on Resolution No. R1-2009-0047 to consider whether to affirm, reject, or modify the **Clean Water Act Section 303(d) List of Impaired Waters** section of the 2008 Integrated Report

Introduction

At the June 3, 2009 North Coast Regional Water Quality Control Board (Regional Water Board) meeting, staff will present the Clean Water Act Section 303(d) List of Impaired Waters section of the 2008 Integrated Report (Resolution No. R1-2009-0047) for adoption by the Board.

What is the 2008 Integrated Report?

The 2008 Integrated Report combines the Clean Water Act (CWA) Section 305(b) Surface Water Quality Assessment and the CWA Section 303(d) List of Impaired Waters into one report.

The 305(b) Surface Water Quality Assessment is a biennial report on the condition of surface waters. The states' submit their assessment to the United States Environmental Protection Agency (USEPA), which compiles the states assessments into the "National Water Quality Inventory Report" presented to Congress. The 305(b) Surface Water Quality Assessment is informational and is not adopted by the Regional Water Board, State Water Resources Control Board (State Water Board), or by the USEPA.

The 303(d) List of Impaired Waters (List) is a list identifying waterbodies not meeting water quality standards after the application of certain technology-based controls (i.e., primary and secondary treatment requirements) as required by the federal Clean Water Act. A waterbody or segment that does not meet a water quality standard(s) is considered "impaired". The List identifies the pollutant(s) or stressor not being met for a specific waterbody or segment, and identifies a priority ranking. States review the List every two years, make changes as necessary, and submit it to the USEPA. Updates to the 303(d) List include adding as well as removing (aka "delisting") a waterbody/pollutant pair from the List. A waterbody/pollutant pair is an association between a waterbody and a particular pollutant, such as Santa Rosa Creek for sediment.

Placement of a waterbody on the List generally triggers development of a total maximum daily load (TMDL).

For 2008, the Regional Water Board is responsible for developing the 2008 Integrated Report for waters within the North Coast Region of California, and adopting, via Resolution No. R1-2009-0047, the 303(d) List for the North Coast Region. Following adoption by the Regional Water Board, the 303(d) List will be transmitted to the State Water Board, where it will be compiled with the other eight Regional Water Board Lists and considered by the State Water Board as a state-wide 303(d) List. The State Water Board will then transmit the state-wide Integrated Report, including the state-wide 303(d) List, to the USEPA for their consideration and approval of the 303(d) List.

Brief History of the 2006 Update

The current 305(b) Report and 303(d) List are separate documents. The 305(b) Report was finalized in 2006. The current 303(d) List is known as the 2006 303(d) List, although it was approved by the USEPA in June 2007 and last modified in May 2008. The State Water Board developed both the 305(b) Report and the 303(d) List for the 2006 update. The Regional Water Boards were not directly involved, although Regional Water Board staff did provide data and comments.

New for the 2008 Update

There are several changes in the process for developing the Integrated Report for the 2008 update. First, California is integrating the 305(b) Report and the 303(d) List into a single report. Second, the Regional Water Board is responsible for developing the Integrated Report before it is transmitted to the State Water Board. Third, a state-wide database is being used to store all the data assessments and decisions made for each waterbody/pollutant pair. This allows for greater access by the public to all the data, staff's assessments and recommendations, and Board decisions.

The Listing Policy

In 2004, the State Water Board adopted the "Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List" (Listing Policy). Development of the 2008 Integrated Report is the first time the Regional Water Boards have worked closely with the Listing Policy. The Listing Policy gives specific listing and delisting rules (e.g., number of samples that need to exceed a standard or evaluation guideline in order to list a waterbody as impaired), but also allows for a listing recommendation to be based on the *weight of evidence*, if it indicates impairment or non-impairment.

Staff Recommendations

For the 2008 Integrated Report, Regional Water Board staff analyzed data for approximately 550 waterbody/pollutant pairs. Staff developed a Fact Sheet for each waterbody/pollutant pair. A Fact Sheet includes a Decision on whether or not to list, not

list, delist, or not delist as impaired, plus at least one Line of Evidence which describes the details of the data assessment.

Based on staff's data analysis and applying the rules of the Listing Policy, staff recommends delisting 5 waterbody/pollutant pairs and listing 17 new waterbody/pollutant pairs as impaired for the 2008 update of the 303(d) List. The attached tables summarize staff recommendations. All of the Fact Sheets can be found online at:

http://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/303d/

Table 1 presents the new delistings for the 2008 303(d) List; Table 2 presents the new listings for the 2008 303(d) List; and Table 3 presents the complete, updated 2008 303(d) List for the North Coast Region.

STAFF RECOMMENDATION:

Adoption of Resolution No. R1-2009-0047,
2008 303(d) List

Table 1 New Delistings for the 2008 303(d) List		
Waterbody Hydrologic Unit	Waterbody Name	Pollutant/Stressor
Bodega HU	Doran Regional Park	Indicator Bacteria
Bodega HU	Salmon Creek Park (South)	Indicator Bacteria
Eel River HU	Middle Fork Eel River, Wilderness HSA & Black Butte River HSA	Sediment/Siltation
Eel River HU	North Fork Eel River, Upper North Fork Eel River Watershed (area north of the Six Rivers National Forest boundary)	Sediment/Siltation
Russian River HU	Guerneville HSA, Pocket Canyon Creek	pH

Table 2 New Listings for the 2008 303(d) List		
Waterbody Hydrologic Unit	Waterbody Name	Pollutant/Stressor
Eel River HU	Lower Eel River HA, mainstem Eel River	Aluminum
	Lower Eel River HA	Dissolved Oxygen
	Middle Fork Eel River HA, Eden Valley HSA & Round Valley HSA, mainstem Middle Fork Eel River	Aluminum
	Middle Main Eel River HA, mainstem Eel River	Aluminum
	South Fork Eel River HA, mainstem South Fork Eel River	Aluminum
Klamath River HU	Middle & Lower Klamath River HAs, Scott River to Trinity River Reach, mainstem Klamath River	Microcystin
Klamath River HU	Middle Klamath River HA, Iron Gate Dam to Scott River Reach, mainstem Klamath River	Microcystin
Klamath River HU	Middle & Lower Klamath River HAs, China Creek, Fort Goff Creek, Grider Creek, Portuguese Creek, Thompson Creek, Walker Creek	Sediment
Klamath River HU	Middle Klamath River HA, Beaver Creek, Cow Creek, Deer Creek, Hungry Creek, West Fork Beaver Creek	Sediment
Klamath River HU	Shasta River HA, Lake Shastina	Mercury
Mendocino Coast HU	Gualala River	Aluminum
Mendocino Coast HU	Hare Creek Beach	Indicator Bacteria
Mendocino Coast HU	Pudding Creek Beach	Indicator Bacteria
Russian River HU	Geyserville HSA, Unnamed Tributary (Stream 1) at Fitch Mountain	Indicator Bacteria
Russian River HU	Green Valley Creek Watershed	Indicator Bacteria
Russian River HU	Green Valley Creek Watershed	Dissolved Oxygen
Russian River HU	Laguna de Santa Rosa	Indicator Bacteria

Table 3 The 2008 303(d) List		
Waterbody HU	Waterbody Name	Pollutant/Stressor
Bodega HU	Bodega Harbor HA	Exotic Species
	Campbell Cove	Indicator Bacteria
	Estero Americano HA, Estuary	Nutrients
		Sedimentation/Siltation
	Estero Americano & Americano Creek	Nutrients
	Stemple Creek & Estero de San Antonio	Nutrients
Sediment		
Cape Mendocino HU	Mattole River	Sedimentation/Siltation
		Temperature
Eel River HU	Lower Eel River HA, mainstem Eel River	Aluminum
		Dissolved Oxygen
	Lower Eel River HA	Sedimentation/Siltation
		Temperature
		Aluminum
	Middle Fork Eel River HA, Eden Valley HSA & Round Valley HSA, mainstem Middle Fork Eel River	Sedimentation/Siltation
		Temperature
	Middle Fork Eel River HA, Eden Valley HSA & Round Valley HSA	Temperature
		Aluminum
	Middle Main Eel River HA, mainstem Eel River	Sedimentation/Siltation
		Temperature
	Middle Main Eel River HA	Sedimentation/Siltation
		Temperature
	North Fork Eel River HA, Lower North Fork Eel River Watershed	Sedimentation/Siltation
		Temperature
	North Fork Eel River HA, Upper North Fork Eel River Watershed	Temperature
	South Fork Eel River HA, mainstem South Fork Eel River	Aluminum
Sedimentation/Siltation		
South Fork Eel River HA	Temperature	
	Sedimentation/Siltation	
Upper Main Eel River HA	Temperature	
	Mercury	
Upper Main Eel River HA, Lake Pillsbury	Sedimentation/Siltation	
Van Duzen River HA	Sedimentation/Siltation	
Eureka Plain HU	Elk River	Sedimentation/Siltation
	Freshwater Creek	Sedimentation/Siltation
	Humboldt Bay	Dioxin Toxic Equivalents
		PCBs
Jacoby Creek Watershed	Sediment	
Klamath River HU	Butte Valley HA	Nutrients
		Temperature

Table 3 (cont.) The 2008 303(d) List			
Waterbody HU	Waterbody Name	Pollutant/Stressor	
Klamath River HU	Copco Lake (Reservoir 1 and 2)	Microcystin	
	Iron Gate Reservoir	Microcystin	
	Klamath Glen HSA		Nutrients
			Organic Enrichment / Low Dissolved Oxygen
			Sedimentation/Siltation
			Temperature
	Middle Klamath River HA, Oregon to Iron Gate Reach		Nutrients
			Organic Enrichment / Low Dissolved Oxygen
			Temperature
	Middle Klamath River HA, Oregon to Iron Gate Reach, mainstem Klamath River from the beginning of Copco 1 Reservoir to Iron Gate Dam		Microcystin
	Middle Klamath River HA, Iron Gate Dam to Scott River Reach		Nutrients
			Organic Enrichment / Low Dissolved Oxygen
			Temperature
	Middle Klamath River HA, Iron Gate Dam to Scott River Reach, mainstem Klamath River		Microcystin
	Middle Klamath River HA, Beaver Creek, Cow Creek, Deer Creek, Hungry Creek, West Fork Beaver Creek		Sediment
	Middle & Lower Klamath River HAs, Scott River to Trinity River Reach		Nutrients
			Organic Enrichment / Low Dissolved Oxygen
			Temperature
	Middle & Lower Klamath River HAs, Scott River to Trinity River Reach, mainstem Klamath River		Microcystin
	Middle & Lower Klamath River HAs, China Creek, Fort Goff Creek, Grider Creek, Portuguese Creek, Thompson Creek, Walker Creek		Sediment
Salmon River HA		Temperature	
Scott River HA		Sedimentation/Siltation	
		Temperature	
Shasta River HA		Organic Enrichment / Low Dissolved Oxygen	
		Temperature	
Shasta River HA, Lake Shastina		Mercury	
Tule Lake and Lower Klamath Lake National Wildlife Refuge		pH (high)	
Tule Lake HSA and Mt Dome HSA		Nutrients	

Table 3 (cont.) The 2008 303(d) List		
Waterbody HU	Waterbody Name	Pollutant/Stressor
Mad River HU	Mad River	Sedimentation/Siltation
		Temperature
		Turbidity
Mendocino Coast HU	Albion River	Sedimentation/Siltation
		Temperature
	Big River	Sedimentation/Siltation
		Temperature
	Garcia River	Sediment
		Temperature
	Gualala River	Aluminum
		Sedimentation/Siltation
	Gualala River, Entire Watershed except the Little N Fk Gualala R. Watershed	Temperature
	Hare Creek Beach	Indicator Bacteria
	Navarro River	Sedimentation/Siltation
		Temperature
	Navarro River, Delta	Sedimentation/Siltation
	Noyo River	Sedimentation/Siltation
	Noyo River mainstem from confluence of Duffy Gulch downstream to confluence with Hayshed Gulch; South Fork Noyo River mainstem from confluence of Kass Creek downstream to confluence with Noyo River mainstem; and Little North Fork Noyo River, Duffy Gulch, and Kass Creek tributaries.	Temperature
Pudding Creek	Temperature	
Pudding Creek Beach	Indicator Bacteria	
Ten Mile River HSA	Sedimentation/Siltation	
	Temperature	
Redwood Creek HU	Redwood Creek	Sedimentation/Siltation
		Temperature
Russian River HU	Austin Creek HSA	Sedimentation/Siltation
		Temperature
	Big Sulphur Creek HSA	Sedimentation/Siltation
		Specific Conductivity
		Temperature
	Coyote Valley HSA	Sedimentation/Siltation
		Temperature
	Coyote Valley HSA, Lake Mendocino	Mercury
	Forsythe Creek HSA	Sedimentation/Siltation
		Temperature
Geyserville HSA	Sedimentation/Siltation	
	Temperature	

Table 3 (cont.) The 2008 303(d) List		
Waterbody HU	Waterbody Name	Pollutant/Stressor
Russian River HU	Geyserville HSA, Mainstem Russian River at Healdsburg Memorial Beach from the railroad bridge to the Hwy 101 bridge	Indicator Bacteria
	Geyserville HSA, Unnamed Tributary (Stream 1) at Fitch Mtn.	Indicator Bacteria
	Green Valley Creek Watershed	Dissolved Oxygen
		Indicator Bacteria
	Guerneville HSA	Sedimentation/Siltation
		Temperature
	Guerneville HSA, Mainstem Russian River from Fife Creek to Dutch Bill Creek	Indicator Bacteria
	Laguna de Santa Rosa	Dissolved Oxygen
		Indicator Bacteria
		Mercury
		Nitrogen
		Phosphorus
		Sedimentation/Siltation
	Mark West Creek HSA	Temperature
		Sedimentation/Siltation
Santa Rosa Creek	Indicator Bacteria	
	Sedimentation/Siltation	
	Temperature	
Ukiah HSA	Sedimentation/Siltation	
	Temperature	
Warm Springs HSA	Sedimentation/Siltation	
	Temperature	
Warm Springs HSA, Lake Sonoma	Mercury	
Trinidad HU	Clam Beach	Indicator Bacteria
	Luffenholtz Beach	Indicator Bacteria
	Moonstone County Park	Indicator Bacteria
	Trinidad State Beach	Indicator Bacteria
Trinity River HU	East Fork Trinity River	Mercury
		Sedimentation/Siltation
	Lower Trinity River HA	Sedimentation/Siltation
	Middle Trinity River HA	Sedimentation/Siltation
	South Fork Trinity HA	Sedimentation/Siltation
		Temperature
Trinity Lake (was Claire Engle Lake)	Mercury	
Upper Trinity River HA	Sedimentation/Siltation	