



**Agenda Item #5**

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**Staff Recommendations for the  
2012 Clean Water Act Section  
303(d) List  
of Impaired Waters**

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North Coast Regional Water Quality Control Board  
August 14, 2014

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**Presentation Outline**

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- 1. Integrated Report Overview**
- 2. 2012 303(d) List Overview**
- 3. Changes Since the Public Review Draft**
- 4. Comments Not Resulting in a Change  
(No Change Since Public Review Draft)**
- 5. Onsite Wastewater Treatment Systems Policy  
– Attachment 2 update**
- 6. Final Recommendations**

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## Integrated Report Overview

Integrated Report = **Federal CWA**  
**305(b)** + **303(d)**  
 Assessment List

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## Integrated Report Overview

Evaluate data & information for each water body /  
 pollutant pair (e.g., Klamath River for sediment, or Eel River for  
 temperature)

### Integrated Report Categories:

BU Rating	Category	Description
Fully Supporting	1	All core uses are supported.
	2	Some core uses are supported.
Insufficient Information	3	Insufficient information is available to make use support determinations.
Not Supporting	4a	At least one use is not supported and a TMDL has been developed.
	4b	At least one use is not supported and a TMDL is not needed because an existing regulatory program will address impairment.
	4c	At least one use is not supported but a TMDL is not needed as the impairment is caused by non-pollutant sources.
	5	At least one use is not supported and a TMDL is needed.

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## Integrated Report Overview

**Step 1: Obtain data** (Solicitation Period 1/14/10 – 8/30/10)

**Step 2: Analyze data according to rules of the Listing Policy**

**Step 3: Develop Lines of Evidence (LOEs)**

- Over 4,700 LOEs were developed

**Step 4: Make Decision (aka: staff recommendations)**

- 991 decisions were developed

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## 2012 303(d) List Overview

- **Current 2010 303(d) List is baseline**
- **Delisting** = takes waterbody/pollutant **OFF** the 303(d) List
- **Listing** = puts waterbody/pollutant **ON** the 303(d) List
- **New 2012 303(d) List proposed for adoption**

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## 2012 303(d) List Overview

### 991 water body / pollutant pair recommendations (Decisions)

#### Listings

- 33**    **New Listings** (Table 7, p. 42)
- 1**     **Increase in geographic extent of listing** (Table 8, p.43)
- 3**     **Recommendation for USEPA to list on Tribal Land** (Table 9, p.43)

#### Delistings

- 11**    **New delistings** (Table 5, p.39)
- 21**    **Reductions in geographic extent of listing** (Table 6, p.39)    **7**

## Changes Since the Public Review Draft

Water Body Name	Pollutant	Public Review Draft Recommendation	Final Recommendations
Shasta HA, Mainstem Shasta River	Aluminum	Do Not List	List
Scott River HA, Mainstem Scott River	Aluminum	List Mainstem Scott River	List Mainstem Scott River from Young's Dam to Boulder Creek
	Biostimulatory Conditions		
	Oxygen, Dissolved pH		
Laguna HSA, Mainstem Laguna de Santa Rosa	Indicator Bacteria	Delist	Do Not Delist
Laguna HSA, Tributaries to the Laguna de Santa Rosa (except Santa Rosa Creek and its tribs)		Delist	Do Not Delist
Laguna HSA, Tributaries to Santa Rosa Creek		Delist	Do Not Delist
Lower Russian River HA, Green Valley Creek Watershed		Delist all but the mainstem Atascadero Creek	Do Not Delist any portion of the water body
Little River HA, Bullwinkle Creek		List	Do Not List
Santa Rosa HSA, Spring Lake	Mercury	Do Not List	List
Smith River HU, Dead Lake		Do Not List	List

## Changes Since the Public Review Draft

Water Body Name	Pollutant	Public Review Draft Recommendation	Final Recommendations
Scott River HA, Mainstem Scott River	Aluminum	List Mainstem Scott River	List Mainstem Scott River from Young's Dam to Boulder Creek
	Biostimulatory Conditions		
	Oxygen, Dissolved pH		

### Public Comment:

- Data not representative of the entire mainstem Scott River

### Water Board Staff Action:

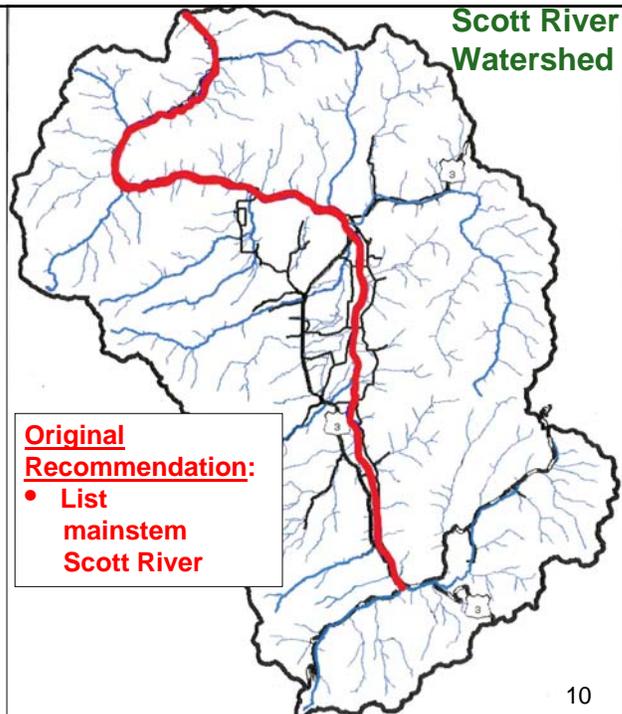
- Re-segmented mainstem Scott into 3 parts
- Re-evaluated data
- Decreased extent of recommended listing

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## Changes Since the Public Review Draft

### Pollutants recommended for listing:

- aluminum
- biostimulatory conditions
- dissolved oxygen
- pH

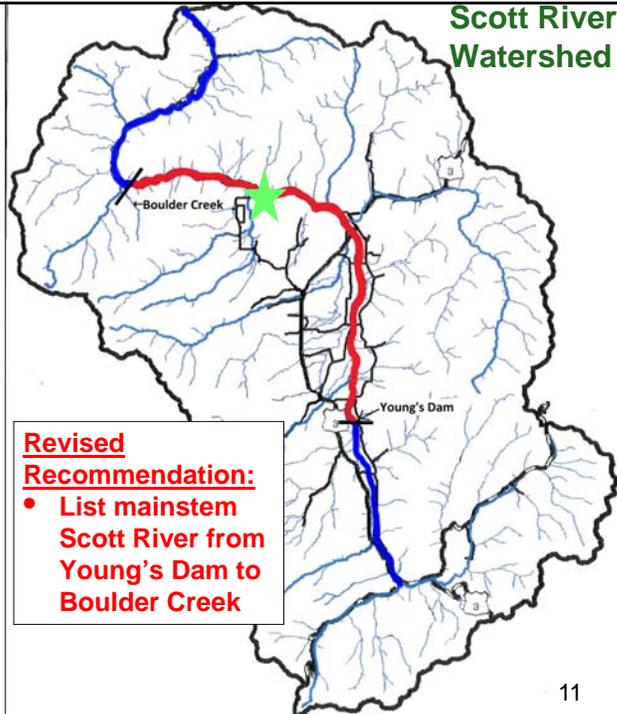


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## Changes Since the Public Review Draft

### Pollutants recommended for listing:

- aluminum
- biostimulatory conditions
- dissolved oxygen
- pH



## Changes Since the Public Review Draft

Water Body Name		Pollutant	Public Review Draft Recommendation	Final Recommendations
Russian River HU	Laguna HSA, Mainstem Laguna de Santa Rosa	Indicator Bacteria	Delist	Do Not Delist
	Laguna HSA, Tributaries to the Laguna de Santa Rosa (except Santa Rosa Creek and its tribs)		Delist	Do Not Delist
	Laguna HSA, Tributaries to Santa Rosa Creek		Delist	Do Not Delist
	Lower Russian River HA, Green Valley Creek Watershed		Delist all but the mainstem Atascadero Creek	Do Not Delist any portion of the water body

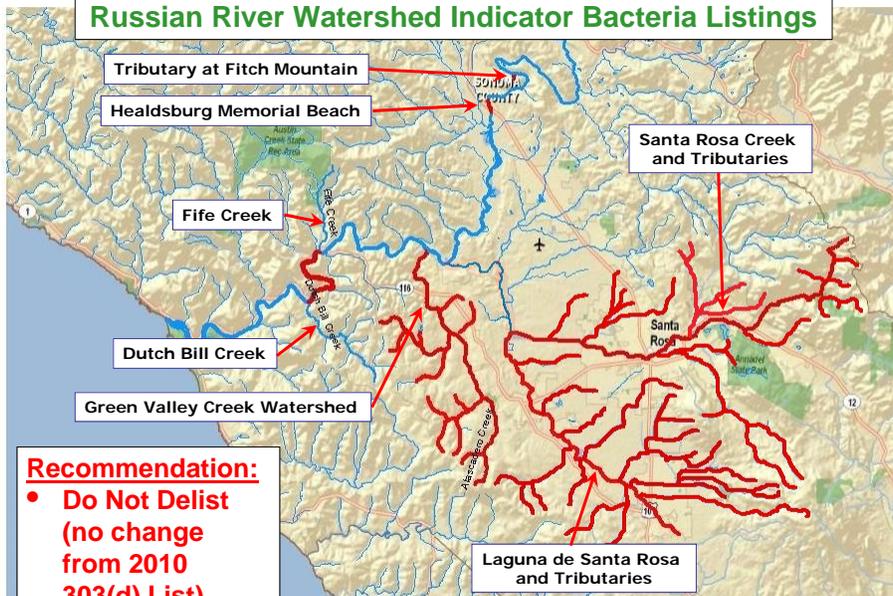
### Water Board Staff Action:

- Reviewed the most recent information from the draft Russian River Pathogenic Indicator Bacteria TMDL
- Weight of Evidence reflects water quality objective for bacteria is violated
- Recommended "Do Not Delist" any water bodies in the Russian River watershed for indicator bacteria

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## Changes Since the Public Review Draft

### Russian River Watershed Indicator Bacteria Listings



**Recommendation:**

- Do Not Delist (no change from 2010 303(d) List)

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## Changes Since the Public Review Draft

Water Body Name	Pollutant	Public Review Draft Recommendation	Final Recommendations
Santa Rosa HSA, Spring Lake	Mercury	Do Not List	List
Smith River HU, Dead Lake		Do Not List	List

**Statewide Mercury Control Program (SMCP) Comment:**

- Recommend NOT averaging fish tissue composite samples collected on the same date/location

**Water Board Staff Action:**

- Discussed comment with State Water Board staff
- Re-evaluated data consistent with SMCP
- Recommended two new mercury listings:
  - Spring Lake (Sonoma County)
  - Dead Lake (Del Norte County)

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## No Change Since the Public Review Draft

### Comments Received:

- Flow alteration impairment
- Klamath National Forest sediment & temperature reference streams delisting recommendations

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## No Change Since the Public Review Draft

### Flow Alteration Impairment

#### Public Comments:

- Request for flow alteration impairment identification under Category 4c

#### Data submitted for the following water bodies:

Scott River

Eel River

Gualala River

Mattole River

Navarro River

Shasta River

Russian River Tributaries:

- Maacama Creek

- Mark West Creek

- Redwood Creek

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## **No Change Since the Public Review Draft**

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### **Flow Alteration Impairment**

#### **Integrated Report Burden of Proof:**

- Submitted data and information indicate non-attainment of water quality standards due to altered or reduced in-stream flow

#### **Methodology is Needed to Assess Flow Data:**

- Methods should be scientifically defensible and repeatable, and developed for state-wide application with input from stakeholders

#### **Next Steps:**

- Continue working with State Board and stakeholders on methodology
- Reconsider flow impairment data
- Continue to address impacts to water quality from altered flows

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## **Flow-Related Actions**

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**Resolution No. R1-2014-0043 directs staff to continue working on addressing flow through our authorities:**

- Work to develop assessment methodology
- Implement TMDLs
- Implement the Temperature Policy
- Work with the Division of Water Rights
- Participate in water right applications and petitions
- Participate in instream flow studies
- Contribute to the development of flow objectives

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## No Change Since the Public Review Draft

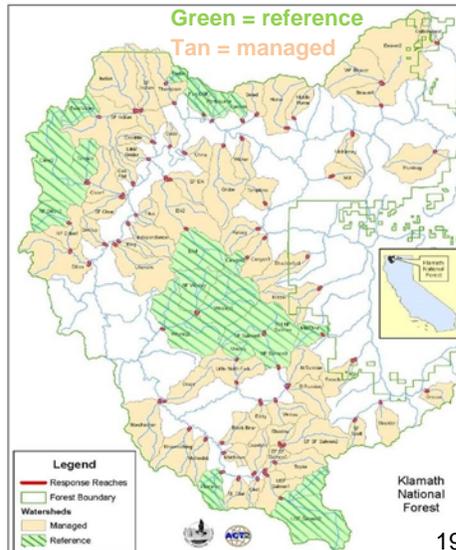
### Klamath Sediment & Temperature Delisting Recommendations

#### Staff Propose:

- 2 sediment delistings
- 21 temperature delistings

#### Public Comments:

- Fire history and grazing activities are not natural conditions and delistings are inappropriate



## No Change Since the Public Review Draft

### Klamath Sediment & Temperature Delisting Recommendations

#### Public Comments on Fire History:

- Land management resulted in non-natural, high-severity fires
- Remove streams with riparian zone impacted by fire from reference pool
- Fort Goff Creek & Portuguese Creek:
  - 2012 fire suppression activities have resulted in sediment delivery to streams
- Canyon Creek:
  - 2011 controlled burn resulted in removal of riparian shade



## **No Change Since the Public Review Draft**

### **Klamath Sediment & Temperature Delisting Recommendations**

#### **Water Board Staff Response on Fire History:**

- Reference condition includes natural range of variability (includes fires)
- **SWAMP guidance: retain water bodies as reference, temporarily exclude data**

*Recommendations for the Development and Maintenance of a Reference Condition Management Program (RCMP) to Support Biological Assessment of California's Wadeable Streams (Ode 2009)*

- Fort Goff & Portuguese Creek inspections reflect beneficial use support and are suitable as reference watersheds
- Canyon Creek inspection of burned areas reflect negligible temperature effects

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## **No Change Since the Public Review Draft**

### **Klamath Sediment & Temperature Delisting Recommendations**

#### **Public Comments on Grazing:**

- **Wooley Creek:**
  - grazing allotment is an anthropogenic impact
- **Canyon Creek:**
  - does not meet criteria for % of watershed grazed
  - likely has best management practice violations
  - grazing has altered riparian shade

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## **No Change Since the Public Review Draft**

### **Klamath Sediment & Temperature Delisting Recommendations**

#### **Water Board Staff Response on Grazing:**

- **No % grazing threshold in the criteria**
  - most reference water bodies have no grazing
  - several have no more than 5-10% grazed due to topography
- **USFS reports no best management practice violations in reference water bodies evaluated**
- **No alteration of canopy from grazing in reference portion of Canyon Creek**

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## **Onsite Wastewater Treatment Systems Policy**

### **Attachment 2 update**

**Policy directs Regional Water Board to identify indicator bacteria and nitrogen impaired water bodies to be added to and removed from Attachment 2**

- **No additions recommended**
- **Recommended for removal:**
  - Luffenholtz Beach (IB)
  - Moonstone County Park (IB)
  - Trinidad State Beach (IB)
  - Mainstem Laguna de Santa Rosa (N)

IB = Remove from Table 5 for indicator bacteria impairments  
N = Remove from Table 6 for nitrogen impairments

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## Summary - Final Recommendations

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**991 water body / pollutant pair recommendations  
(Decisions)**

**Listings (# water body / pollutant pairs)**

- 33 New Listings**
- 1 Increase in geographic extent of listing**
- 3 Recommendation for USEPA to list on Tribal Land**

**Delistings (# water body / pollutant pairs)**

- 11 New delistings**
- 21 Reductions in geographic extent of listing**

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## Final Recommendation

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**Regional Water Board staff recommend the  
following action:**

**Adoption of Resolution No. R1-2014-0043**

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