



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105

13 MAR 1992

OFFICE OF THE
REGIONAL ADMINISTRATOR

Mr. W. Don Maughan, Chairman
State Water Resources Control Board
Paul R. Bonderson Building
901 P. Street, Box 100
Sacramento, CA 95801

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TRINITY COUNTY PLANNING DEPT.

Dear Mr. Maughan:

The Environmental Protection Agency (EPA) has reviewed the amendment to the Water Quality Control Plan for the North Coast Region (Basin Plan) approved by the State Board in Resolution No. 91-94 on September 26, 1991. This Basin Plan amendment establishes site-specific temperature objectives and an Interim Action Plan for the Trinity River. EPA's authority to approve or disapprove state-adopted water quality standards is derived from Section 303 of the Clean Water Act.

Our review of the temperature objectives finds them to be protective of beneficial uses on the Trinity River, and to be based on sound scientific rationale; I am therefore pleased to approve these water quality objectives.

The Interim Action Plan limits the implementation of the temperature objectives "to the extent that factors are controllable." EPA is concerned that the Regional Board's interpretation of "controllable factors" appears to exclude the operation of diversions to the Sacramento River. We would like to clarify our position that such diversions are in fact controllable factors. Section 313 of the Clean Water Act requires that activities conducted by the Bureau of Reclamation comply with all applicable water quality standards. We believe that it would be inconsistent with the State's obligation to protect beneficial uses to voluntarily limit its authority over diversions, if in fact those diversions contribute to water quality degradation on the Trinity River.

EPA looks forward to continued cooperation with the State to achieve our mutual environmental goals.

Sincerely,

for Daniel W. McGovern
Regional Administrator

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cc: Mr. Benjamin D. Kor, Executive Officer
North Coast Regional Board

John Ladd, Chief
Basin Planning Unit
Division of Water Quality
State Water Resources Control Board

Roger Patterson, Regional Director
Mid-Pacific Region
U.S. Bureau of Reclamation

Steven Suagee, Tribal Counsel
Hoopa Valley Tribe

← Tom Stokely, Associate Planner
Trinity County