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## North Coast Regional Water Quality Control Board

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**NOTICE OF PUBLIC COMMENT PERIOD, WORKSHOP, AND PUBLIC HEARING TO  
CONSIDER ADOPTION OF THE DRAFT TMDL ACTION PLAN FOR THE RUSSIAN RIVER  
WATERSHED PATHOGEN TOTAL MAXIMUM DAILY LOAD AND PROHIBITION OF THE  
DISCHARGE OF FECAL WASTE MATERIALS AS AN AMENDMENT TO THE WATER  
QUALITY CONTROL PLAN FOR THE NORTH COAST REGION  
AND  
NOTICE OF FILING UNDER CALIFORNIA CODE OF REGULATIONS, TITLE 23, § 3779  
FOR  
DRAFT SUBSTITUTE ENVIRONMENTAL DOCUMENT (SED)**

**NOTICE IS HEREBY GIVEN** that the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) is proposing to amend the Water Quality Control Plan for the North Coast Region (Basin Plan) to establish a Pathogen Total Maximum Daily Load and Program of Implementation for the Russian River Watershed (TMDL Action Plan).

### **I. Pathogen TMDL Staff Report**

Staff have drafted the Staff Report for the Action Plan for the Russian River Watershed Pathogen TMDL, which describes the watershed setting, the applicable regulatory framework, and desired watershed conditions. It further documents pathogen pollution and impairments in the Russian River and its tributaries, identifies potential sources of pathogens, and estimates the pathogen loading capacity of the system based on the draft statewide bacteria objectives for *E. coli* now out for public review. The draft Staff Report provides the scientific basis and technical conclusions of the Pathogen TMDL and includes a concentration-based TMDL for the fecal indicator bacteria *E. coli*. The draft Staff Report also describes a Program of Implementation and a monitoring, and adaptive management framework to attain bacterial water quality standards in the Russian River Watershed.

### **II. Program of Implementation**

The Program of Implementation is a combination of regulatory and non-regulatory implementation actions that will achieve the TMDL and meet the bacterial water quality standards in the Russian River Watershed. In the Program of Implementation, the implementing parties are assigned specific implementation actions and time schedules in which to complete the actions. The implementation components include:

- a. Compliance with Waste Discharge Requirements (WDR) or waiver of WDRs: Ensure compliance with applicable point source regulatory programs to reduce bacteria loads from existing and new sources through effective oversight and enforcement;
- b. Compliance with New Implementation Actions: Develop and implement new or enhanced best management practices for nonpoint sources, such as onsite wastewater

treatment systems (OWTS) and manure from non-dairy livestock, to reduce bacteria loads from existing and new sources; and

- c. Public Outreach: Coordinate with local agencies to implement a Joint Protocol to address water quality impacts from nonpoint sources of pathogens that pose unique challenges to regulatory control, such as homeless and farmworker encampments and recreational water users. The Joint Protocol will serve as an umbrella in support of beneficial use enhancement, prevention of nuisance, and a trajectory of watershed recovery.

### **III. TMDL Action Plan**

The draft TMDL Action Plan, once finalized and adopted, will be incorporated into the Basin Plan as an amendment. The draft TMDL Action Plan contains the technical components of the Pathogen TMDL and the draft Program of Implementation. The Program of Implementation includes a proposed Advanced Protection Management Program (APMP) boundary, within which Onsite Waste Treatment System (OWTS) owners will have certain responsibilities to confirm the proper functioning of OWTS. The draft Action Plan also includes a prohibition of the discharge of fecal waste materials that cause or contribute to an exceedance of bacteria water quality objectives except as authorized by waste discharge requirements or action of the Regional Water Board or State Water Board.

### **IV. CEQA**

The adoption of an amendment to the Basin Plan is subject to the requirements of the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21159.) Pursuant to Public Resources Code section 21080.5, the Resources Agency has approved the Regional Water Boards' basin planning process as a "certified regulatory program" that adequately satisfies the CEQA (Pub. Resources Code, § 21000 et seq.) requirements for preparing environmental documents. (Cal. Code Regs., tit. 14, § 15251, subd. (g); Cal. Code Regs., tit. 23, § 3782.)

This is to advise that the Regional Water Board is proposing to amend the Basin Plan and is exempt under Section 21080.5 of the Public resource Code from the requirement to prepare an environmental impact report under CEQA (Public Resource Code section 21000 et seq.). CEQA implementation regulations for Certified Regulatory Programs require the development of Substitute Environmental Documentation (SED) analyzing the potential environmental impacts of the Basin Plan Amendment. The Staff Report includes the draft SED and was prepared pursuant to statutes and regulations governing the Regional Water Board's regulatory programs.

### **V. Availability of Documents**

The draft Action Plan, draft Staff Report, including the draft SED are available for public review and comment and can be downloaded from the Regional Water Board's website at: [http://www.waterboards.ca.gov/northcoast/water\\_issues/](http://www.waterboards.ca.gov/northcoast/water_issues/) These documents can also be viewed by contacting or visiting the Regional Water Board's office at 5550 Skylane Blvd., Suite A, Santa Rosa, California 95403 weekdays between 8:00 a.m. and 5:00 p.m. or calling 707-576-2220.

### **VI. Public Comments**

Persons wishing to comment on the draft Action Plan and draft staff report, including draft SED, are invited to submit comments in writing. To be evaluated and responded to by the

Regional Water Board, and fully considered in advance of the hearing, all written comments and evidence must be received by the Regional Water Board no later than **5:00 p.m. on Friday, September 29**. To accommodate the holidays, the normal 45-day public comment period has been extended to 53 days. Untimely submittal of written comments will not be accepted or responded to.

**Please Note:** Comments on the draft Action Plan or draft Staff Report, including SED, that were submitted in association with review of the 2015 draft documents need not be repeated as part of comments on these noticed 2017 draft documents. Commenters are requested to simply provide reference to any previously submitted comments.

Please transmit comments electronically to the attention of Alydda Mangelsdorf at the Regional Water Board at [NorthCoast@waterboards.ca.gov](mailto:NorthCoast@waterboards.ca.gov). Comments can also be faxed to 707-523-0135 or mailed to the California Regional Water Quality Control Board - North Coast Region, ATTN: Alydda Mangelsdorf, 5550 Skylane Blvd., Suite A, Santa Rosa, California 95403. Persons wishing to present oral comments are invited to attend the hearing and present oral comments.

#### **VII. Staff Workshop**

The staff of the Regional Water Board plan to hold a public workshop to provide information and answer questions related to the draft Action Plan and draft TMDL Staff Report, including draft SED.

**Date and Time: August 17, 2017, 8:30 A.M.**

**Location: Regional Water Board Office, 5550 Skylane Blvd., Suite A, Santa Rosa**

#### **VIII. Hearing Date and Location**

The Regional Water Board will hold a public hearing to consider adoption of the proposed TMDL Action Plan and approval of the SED at its regular public meeting scheduled:

**Date and Time: December 12-13, 2017, 8:30 A.M.**

**Location: Regional Water Board Office, 5550 Skylane Blvd., Suite A, Santa Rosa**

The hearing will be conducted in accordance with California Code of Regulations, title 23, section 649.3. Time limits may be imposed on oral testimony at the public hearing; groups are encouraged to designate a spokesperson. The December 2017 meeting is scheduled as a two-day meeting. The full agenda will be available 10 days before the meeting.

Written comments submitted prior to the close of the comment period will be considered by the Regional Water Board as part of their decision making process.

#### **IX. PUBLIC HEARING ACCESSIBILITY**

A map and directions to the hearing are available online at:

[http://www.waterboards.ca.gov/northcoast/about\\_us/contact\\_us.shtml](http://www.waterboards.ca.gov/northcoast/about_us/contact_us.shtml)

Anyone requiring reasonable accommodation to participate in the hearing should contact Patti Corsie, Executive Assistant, at (707) 576-2307, at least five days prior to the scheduled Board Meeting. The hearing location is accessible to persons with disabilities. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

**X. Regional Water Board Staff Contact**

Questions regarding the draft TMDL Action Plan, draft Staff Report, including draft SED, should be directed to: Alydda Mangelsdorf, Senior Environmental Scientist, at [alydda.mangelsdorf@waterboards.ca.gov](mailto:alydda.mangelsdorf@waterboards.ca.gov) or (707) 576-6735.

Matthias St. John  
Executive Officer  
August 7, 2017