

Letter 5.501

Comment :

The recent city of Turlock NPDES Permit Decision found the Harding Drain's only established Beneficial Use is for Agricultural Drainage, which does not justify placing the Harding Drain on the 303 (d) List. In light of this recent decision, the Harding Drain should be removed from the 303(d) List until the Regional Board acts on WQO 2002-0016 and determines whether the Harding Drain Has any beneficial uses other than agricultural drainage.

Response:

The Harding Drain listing existed previous to the 2002 303(d) List. The RWQCB made no proposal to delist this waterbody from the 1998 303(d) List. We have addressed comments on this waterbody from TID previously, (response to comment 5.2.2). As per WQO 2002-0016, the Regional Board still needs to determine the Beneficial Uses of Harding Drain. Until such time as the Beneficial Uses are established we should not delist the CVRWQCB listings for Harding Drain that are currently listed on the 1998 303(d) List.