



**Clean Water Act Section 303(d) Listing**

**Water Temperature Workshop  
June 26, 2008**

**State Water Resources Control Board**

**USEPA**

**North Coast Regional Water Quality Control  
Board**

# Presentation Topics

- **Part I**

- Mandate
- General Listing Process – Role and Responsibilities

- **Part II**

- Background & History
- Water Quality Control Policy
- 2008 Listing Process

# PART I

## *Mandate & Listing Process Overview*

# The Mandate

- **Clean Water Act and federal regulation**

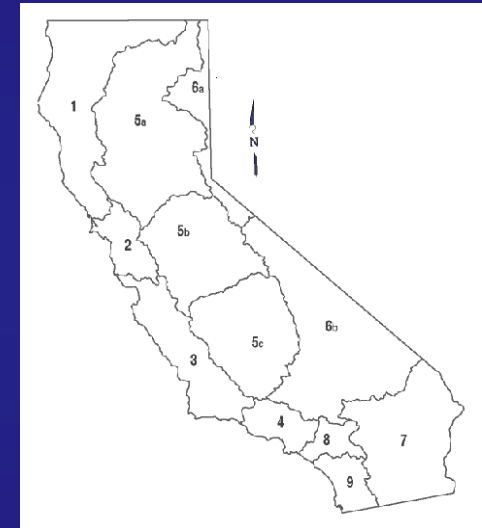
- [CFR 130.7 (b)]**

- Identify waters not meeting standards
    - Two-year cycle

- **California Water Code**

- [CWC Section 13191.3 (a)]**

- Guidelines to be used by SWRCB and RWQCBs
    - Listing and delisting of waters



# Listing Process Overview

- **State Water Board: solicit (recent) data**
- **Regional Water Boards: data assessments**
- **State Water Board:**
  - Review Regional Board assessments and recommendations
  - Communicate and resolve issues with Regional Boards
  - Prepare state wide report and final List
- **Submit to USEPA**

# Roles of: RWQCBs, SWRCB & USEPA

- RWQCBs:
  - Assess info. and data
  - Enter assessments into database
  - Make assessment decisions
  - Respond to comments
  - Develop administrative record
  - Establish TMDL schedule
  - RWQCB Board approval

# Roles of: RWQCBs, SWRCB & USEPA

- SWRCB:

- Public solicitation of info. and data
- Informal and formal review of all RWQCB assessments and recommendations
- Respond to comments
- Create Staff Reports and final List
- State Board approval
- Provide approved List to USEPA

# Roles of: RWQCBs, SWRCB & USEPA

- USEPA:

- USEPA works with SWRCB and RWQCBs to resolve issues and make recommendations
- SWRCB provides approved List to USEPA
- USEPA issue approval/disapproval of submittal (assessment decisions, not methodology)



## **PART II**

### ***Background & History***

### ***Water Quality Control Policy***

### ***2008 Listing & Integrated Report***

# Background

- California AB 982 Public Advisory Group established in 2000
- 2001 Budget Act Supplemental Report
  - Required use of “weight of evidence” approach
- Establishes process for Regional Boards to decide for listing or delisting
  - The objective is to establish a scientifically defensible process

TABLE 3

# WATER QUALITY LIMITED SEGMENT - MATRIX - 1976

SEGMENT NAME AND DESCRIPTION	REGIONAL PRIORITY AFFECTED (2)		WATER QUALITY OBJECTIVE VIOLATED		STATUS (2) NONPOINT SOURCE		COMMENTS
Laguna de Santa Rosa	1	1 B,C,J,P,Q,R	D.O., Nutrient, Coliform	C	X	X	Control by 1978
South San Francisco Bay	2	1 L,M,Q	D.O., Coliform	C		X	
Alameda Creek	2	2 A,T	TDS	C		X	
Napa River	2	3 I,M,N,Q	Coliform, pH, Nutrient, D.O.	C	X	X	
Petaluma River	2	4 I,M,N,Q	D.O., Coliform	C	X	X	
Brvant Creek	6	1 B,J,P,Q,R,T	D.O., TDS, pH, Heavy Metals	N		X	Acid Mine drainage Outflow from Bridgeport Reservoir
East Walker River	6	2 J,P,Q,R	Turb., Sus. Solids, Set. Sol.	N		X	
New River	7	1 B,H,I,P,R	D.O., Bacteria	C		X	International protection
Salton Sea	7	2 P,Q,R,S	TDS	C	X	X	
Palo Verde Lagoon	7	3 I,P,Q,R	Bacteria	N	X	X	
Middle Santa Ana River	8	1 I,Q,T	Bacteria, TDS, Cl	C	X	X	
Upper Newport Bay	8	2 E,G,Q	Bacteria	N	X		
Ysidora-DeLuz HSU	9	1 A,Q	TDS, Nutrient, Bacteria	C		X	Includes Santa Margarita
Tijuana HSU	9	2 R	Bact., BOD, Set. Solids	N	X	X	International protection
San Joaquin River (Lower)	5	1 B,H,I,J,M,N	Dissolved Oxygen, Sal.	C	X	X	
Little Grizzly Creek	5	2 H,J	Toxic, Heavy Metals	C		X	Mine drainage
Spring Creek	5	3 I,J,M,N,P,Q,R	Toxic, Heavy Metals, pH	C		X	Mine drainage
Mokelumne River	5	4 H,I,J,M,N	Toxic, Heavy Metals	C		X	Mine drainage

# Water Quality Control Policy

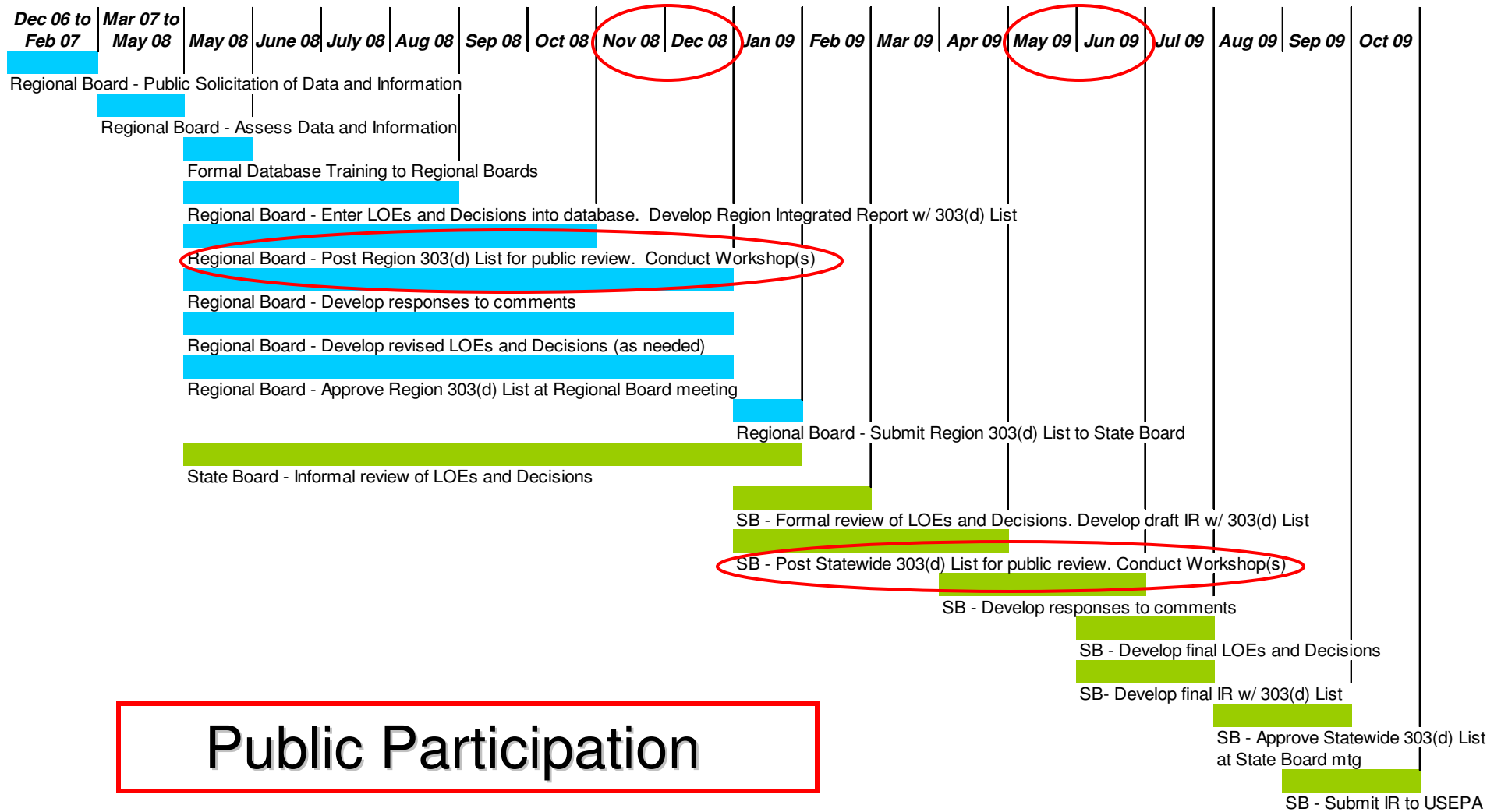
- **Listing Policy**

- Weight of evidence approach
- Structure of the List
- Listing and Delisting Factors
- Implementation measures
  - Solicitation
  - Data quality
  - Data quantity
  - Approval process

- **Available on the SWRCB website:**

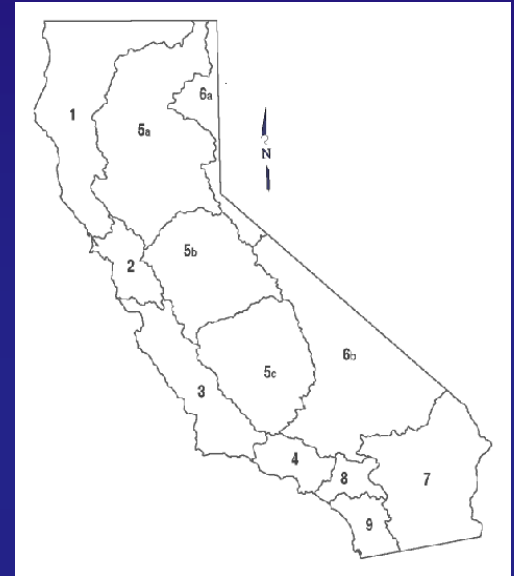
- [http://www.waterboards.ca.gov/plans\\_policies/](http://www.waterboards.ca.gov/plans_policies/)
- Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List

# 2008 Integrated Report Timeline – Tasks



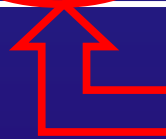
# Integrated Report

- USEPA issued guidance
  - Federal CWA
    - Water quality assessment
    - List of waters not meeting standards
  - Integrated Report
    - Section 305(b)
    - Section 303(d)
- Regional Board makes assessment decisions
- Determines categories of water bodies in the regions



## Integrated Report (305b/303d)

Category	Description
1	All designated uses met
2	Some, but not all, designated uses met
3	Cannot determine if any designated uses met
4	<u>Impaired/threatened</u> :
4a	TMDL completed
4b	other regulatory programs
4c	Non-pollutant causes
5	<u>Impaired/threatened</u> by pollutant –TMDL needed



**Section 303(d) List**

EPA's Integrated Report Guidance (IRG) developed for  
2002, 2004, 2006 and 2008 reporting cycles ([www.epa.gov/owow/tmdl/](http://www.epa.gov/owow/tmdl/))

# SWRCB Interpretation of **Five** Categories

1. Evidence all uses supporting
2. Evidence some uses supporting  
(and no evidence other uses not supporting)
3. Evidence insufficient to make use support determinations
4. Evidence at least one use not supported  
(but TMDL is completed or other regulatory mechanism is being used)
5. Evidence at least one use not supported  
(and TMDL needed)



# California Approach to Assigning Water Bodies to a Category

Water body	Safe to Drink?	Safe to Swim?	Safe to Fish?	Ecosystem Protected?	Assessment Category
WB1	Yes	Yes	Yes	Yes	1
WB2	Yes	Yes	?	?	2
WB3	?	?	?	?	3
WB4	Yes	No	Yes	Yes	4a or 4b
WB5	Yes	No	Yes	Yes	5

\* 4a. A TMDL has been done which will take care of the problem

\* 4b. A program is in place to take care of problem so a TMDL not needed

## 2008 Integrated Report Status

- Solicitation of information and data
- Data assessments
- California Water Quality Assessment Database development
  - Regional Board staff training
- LOEs and decisions in the Cal WQA Database
- Regional Integrated Reports
  - Public workshop
  - Responses to comments
  - Regional Boards approval
- Submittal of Regions Integrated Report to the State Board
- State Board Review of Integrated Report
  - Public workshop
  - Responses to comments
  - State Board approval and submittal to USEPA

## USEPA action on 303(d) List

1. Approval
2. Disapproval
3. Partial approval/partial disapproval

*Disapproval focuses on omissions from CA List*

- EPA action adds to List
- EPA invites public comment
- EPA may revise its decisions/additions

## Contact Information

**Shakoora Azimi-Gaylon**

**Senior Environmental Scientist**

**Division of Water Quality**

**State Water Resources Control Board**

**(916) 341-5508**

**[sagaylon@waterboards.ca.gov](mailto:sagaylon@waterboards.ca.gov)**

**Peter Kozelka**

**TMDL Coordinator**

**Water Division**

**EPA Region IX**

**(415) 972-3448**

**[kozelka.peter@epa.gov](mailto:kozelka.peter@epa.gov)**