

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
JUNE 15, 2010**

ITEM 9

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION ADOPTING THE 2010 INTEGRATED REPORT, CLEAN WATER ACT SECTION 303(D) LIST

DISCUSSION

The proposed 2010 Integrated Report includes the Clean Water Act Section 303(d) List of impaired water bodies and Clean Water Act Section 305(b) Report on the quality of waters in California. Although the reporting process for the 303(d) List and the 305(b) Report has been combined, only the 303(d) List requires approval by the State Water Board and U.S. Environmental Protection Agency (U.S. EPA).

The 303(d) List must include the water quality limited segments (waters not meeting water quality standards), associated pollutants, and a priority ranking of the waters for the purposes of developing total maximum daily loads (TMDLs). A TMDL is the maximum load of a pollutant that can be discharged from point and nonpoint sources without exceeding water quality standards in the water body. Each state is required every two years to review its existing 303(d) List, make changes as necessary, and submit its 303(d) List and TMDL priorities to the U.S. EPA. Regional Water Boards are developing TMDLs, or other appropriate regulatory response, to address the 303(d) listings in each Region as required by the State Water Board's Water Quality Control Policy for Addressing Impaired Waters. For water quality limited segments needing a TMDL, completion schedules have been developed by the Regional Water Boards.

The proposed California 2010 Integrated Report is a compilation of the Regional Water Quality Control Boards' 2008 Integrated Reports with State Board staff recommendations for additions, deletions, or changes. Regional Water Board staff held stakeholder meetings prior to adoption of the Integrated Report in each Region during 2009. The 2010 Integrated Report, after approval of the State Water Board, will be submitted to U.S. EPA. U.S. EPA may make changes to the 303(d) List before it approves the list.

Over 22,400 fact sheets containing over 22,000 Lines of Evidence assessing unique water body-pollutant combinations were developed during this evaluation.

For the 305(b) Report, those water body segments that were assessed were placed into one of U.S. EPA's five Integrated Report beneficial use support related categories. The placement of a water body into the appropriate Integrated Report category was based on the assessment of the available water quality data. The most common core beneficial uses evaluated were aquatic life, drinking water supply, fish consumption, non-contact recreation, shell fishing, and swimming.

For the 303(d) List, State Water Board staff recommends 1,464 additional listings and 195 delistings, for a total of 3,507 listings. Each listing is for a water body-pollutant combination. A total of 350 new water bodies are proposed to be added to the 303(d) List for the first time for one or more pollutants. The proposed 2010 Integrated Report, Staff Report and all fact sheets, can be found at http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

POLICY ISSUE

Should the State Water Board:

1. Approve the proposed 303(d) List portion of the 2010 Integrated Report?
2. Authorize the Executive Director or designee to transmit the proposed 2010 Integrated Report and other supporting information to USEPA for approval of the 303(d) List?

FISCAL IMPACT

State Water Board and Regional Water Board staff work associated with or resulting from this action will be addressed with existing and future budgeted resources.

REGIONAL WATER BOARD IMPACT

Yes, All Regional Water Boards

STAFF RECOMMENDATION

That the State Water Board:

1. Approves the 303(d) List portion of the 2010 Integrated Report, which can be viewed at: http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.
2. Authorizes the Executive Director or designee to transmit the 2010 Integrated Report and other supporting information to USEPA for approval of the 303(d) List.

State Water Board action on this item will assist the Water Boards in reaching Goal 1 of the Strategic Plan Update: 2008-2012 in fulfilling Action 1 to prepare, adopt, and take steps to carry out TMDLs, designed to meet water quality standards, for all impaired water bodies with the 2010 Integrated Report 303(d) List.

D R A F T

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2010-

ADOPTING THE 2010 INTEGRATED REPORT, CLEAN WATER ACT SECTION 303(D) LIST

WHEREAS:

1. Section 303(d) of the federal Clean Water Act (CWA) requires States to identify surface waters that do not meet applicable water quality standards.
2. The list of water quality limited segments identified according to CWA Section 303(d) must include a description of the pollutants not meeting standards and needing to be addressed.
3. The proposed California 2010 Integrated Report is a compilation of the Regional Water Boards' 2008 Integrated Reports with State Water Board staff recommendations for additions, deletions or changes.
4. State Water Board staff and Regional Water Board staff used the Water Quality Control Policy for Developing California's CWA Section 303(d) List (Listing Policy) in developing the changes to the 303(d) List.
5. In developing the proposed 2010 Integrated Report Section 303(d) List, Regional Water Board and State Water Board staff has considered all readily available data and information.
6. State Water Board staff has made recommendations to add, remove, or change the list of water body-pollutant combinations on the proposed 2010 Integrated Report Section 303(d) List.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the 303(d) List portion of the 2010 Integrated Report, which is available on the State Water Board's website at:
http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml.

D R A F T

2. Authorizes the Executive Director or designee to transmit the 2010 Integrated Report and other supporting information to the U.S. Environmental Protection Agency for approval of the 303(d) List.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 15, 2010.

Jeanine Townsend
Clerk to the Board