

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2026-0005

**ADOPTING THE CLEAN WATER ACT SECTION 303(d) LIST OF IMPAIRED
WATERS PORTION OF THE 2026 CALIFORNIA INTEGRATED REPORT**

WHEREAS:

1. Section 303(d)(1) of the Clean Water Act (33 U.S.C. § 1313(d)) directs states to regularly identify surface waters that do not meet applicable water quality standards after technology-based controls have been implemented (commonly referred to as the “303(d) list” or “303(d) list of impaired waters”) and prioritize such surface waters for the purposes of developing a total maximum daily load (“TMDL”), unless other corrective action is appropriate (40 C.F.R. § 130.7(b)). The states and authorized tribes are directed to submit their 303(d) lists by April 1 of every even-numbered year to the United States Environmental Protection Agency (“USEPA”) (40 C.F.R. § 130.7(d)). In addition to the 303(d) list, the Clean Water Act directs states to report on the health of all their surface waters (referred to as the “305(b) report”).
2. The State Water Resources Control Board (“State Water Board”) combines its Clean Water Act sections 303(d) and 305(b) reporting requirements into a “California Integrated Report.”
3. Only the 303(d) list requires approval by the State Water Board and USEPA. Neither agency takes formal approval action on the 305(b) report. Because USEPA may change the State Water Board’s recommended 303(d) list, the 303(d) list is only effective upon USEPA’s approval.
4. The California Integrated Report is developed in cycles. Each cycle consists of assessments for waters within the regions of three Regional Water Quality Control Boards (“Regional Water Boards”) that are “on cycle.” The other six Regional Water Boards that are “off cycle” may also consider assessments for waters in their region. All readily available data that were submitted during the public data solicitation period and in accordance with the applicable notice of public solicitation were evaluated.
5. For the 2026 listing cycle, the State Water Board is administering the listing process for all waters assessed for the California Clean Water Act Section 303(d) List (“2026 303(d) List”), in accordance with Section 6.2 of the Water Quality Control Policy for Developing California’s Clean Water Act Section 303(d) List (“Listing Policy”).

6. For the 2026 California Integrated Report, the Regional Water Boards for the North Coast, Lahontan, and Colorado River Basin regions, are “on-cycle.” The 2026 California Integrated Report also includes “off-cycle” assessments for waters in the boundaries of the San Joaquin River sub-area of the Central Valley Regional Water Board. The San Joaquin River sub-area is defined as the San Joaquin River watershed and includes the mainstem of the San Joaquin River upstream of the legal boundary of the Sacramento-San Joaquin Delta and all surface waters tributary to the mainstem. Finally, some data and information from several waterbody segments within the Central Coast and San Diego Regional Water Board were considered as “off-cycle” assessments.
7. On April 18, 2022, the State Water Board distributed the notice of public solicitation for the 2026 California Integrated Report to interested parties to solicit data and information regarding water quality conditions in surface waters of California, pursuant to section 6.1.2.1 of the Listing Policy. All readily available data and information for waterbodies in the on-cycle regions and the San Joaquin River sub-area that were received prior to the data solicitation cut-off date of October 21, 2022, were considered.
8. In developing the 2026 303(d) List, the staff of State and Regional Water Boards (collectively “Water Boards”) reviewed and considered over 1.4 million rows of data and developed approximately 33,457 lines of evidence to support approximately 15,828 waterbody-pollutant decisions.
9. Starting with the 2026 California Integrated Report, the State Water Board implemented a new approach when considering data collected from waters on federally recognized tribal lands. Data and information collected by any entity (i.e., Tribe, government agency, etc.) from surface waters on federally recognized tribal land (referred to here as tribal waters) were not assessed for the California Integrated Report. The USEPA acknowledges federally recognized tribal land to include both formal reservations, established through treaties or executive orders of the President, and lands not formally designated such as tribal trust lands (56 FR § 64876, 64881, and 18 USC § 1151). California water quality standards do not apply to tribal waters, and the Water Boards do not have the authority to assess tribal waters for an integrated report. The USEPA also does not accept assessments of tribal waters in a state’s integrated report.

However, the Water Boards assessed data and information collected by Tribes from surface waters outside of the borders of federally recognized tribal land and data and information collected by any entity from waters bordering federally recognized tribal land. Bordering waters refer to waters on overlapping or adjacent jurisdictions between a state and a Tribe. Bordering waters are subject to the Water Boards’ authorities under CWA sections 303(d) and 305(b), and should be assessed with state and regional water quality standards.

10. In response to direction included in State Water Board [Resolution No. 2020-0039](#), which adopted the 2018 303(d) List, bacteria data collected from 13 subwatersheds in the North Coast Region were reassessed. All bacteria data from previous integrated reports and new data submitted prior to the data solicitation cutoff date for the 2026 California Integrated Report were assessed consistent with the methodology outlined in section 3.10 of the Staff Report.
11. In response to direction included in State Water Board [Resolution No. 2022-0006](#), which adopted the 2020-2022 303(d) List, aluminum data from waterbody segments with the Warm Freshwater Habitat (“WARM”) or Cold Freshwater Habitat (“COLD”) beneficial use were reassessed using the 2018 USEPA Final Aquatic Life Criteria for Aluminum in Freshwater. Of the Regional Water Boards on-cycle for the 2026 California Integrated Report, only the Lahontan Regional Water Board had aluminum data, and those data were reassessed.
12. In response to direction included in State Water Board [Resolution No. 2024-0007](#), which adopted the 2024 303(d) List, staff verified the existence of Quality Assurance Project Plans (“QAPP”) or QAPP-equivalent documentation for ten data sets that were collected by major monitoring programs and did not have QAPPs during the development of the 2024 303(d) List. A status update of the QAPP verification process for the 2024 California Integrated Report is outlined in the following memo: 2024 Integrated Report – 2024 Cycle Resolution – Item 12 (https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/docs/2024-misassigned-qapps-memo.pdf).
13. Consistent with the approach described in State Water Board Resolution No. 2024-0007, data that were assessed for waterbody-pollutant combinations where the waterbody is not designated with the Commercial and Sport Fishing (“COMM”) beneficial use in the applicable water quality control plans for the Regional Water Boards that were on-cycle for the 2026 California Integrated Report were evaluated to ensure that this beneficial use is occurring and appears to be an existing beneficial use. The COMM beneficial use is defined as “the commercial or recreational collection of fish, shellfish, or other organisms including, but not limited to, uses involving organisms intended for human consumption or bait purposes.” The State Water Board expects that TMDLs or other future actions to address waters on the 303(d) list where the COMM beneficial use is existing, but not designated, will be undertaken concurrent with or following the designation of the beneficial use in the water quality control plan. In addition, the State Water Board encourages the Regional Water Boards to use their discretion where appropriate in establishing permitting, monitoring, and other data collection requirements for the protection of an existing COMM beneficial use.

14. Consistent with the Listing Policy, the 2026 303(d) List includes recommendations to list several segments of the Pacific Ocean as impaired by pathogenic indicator bacteria due to exceedances of the shellfish harvesting water quality objective, which is expressed in total coliform density. As part of the 2019 Water Quality Control Plan for Ocean Waters of California (Ocean Plan) Review, the State Water Board identified, as a high priority, a future planning project to consider revising the shellfish harvesting beneficial use to distinguish between recreation, commercial, or tribal types of harvesting; and to consider revising the shellfish harvesting water quality objective in the Ocean Plan. Should the beneficial uses or the water quality objective be revised in the future, previously assessed data will be reassessed with the new water quality objective in a subsequent listing cycle. The State Water Board expects that any Pacific Ocean waterbody segment listed as impaired by indicator bacteria for the protection of shellfish harvesting would not be scheduled for TMDL development until after the State Water Board completes the planning project. Thus, waterbody segments listed as impaired were marked as a low priority level for TMDL development.

15. The 303(d) list, and the data and information used to support the list, is used in many ways in Water Board programs, and its use varies across programs and regions. These include:

- To trigger and prioritize the development of TMDLs or other restoration actions to address the impairment;
- To prioritize the review of designated beneficial uses or water quality objectives, potentially leading to a standards change;
- To prioritize and target additional water quality monitoring; and
- To automatically trigger new permittee obligations for monitoring, data collection, reporting and prioritization in existing permits and to inform permit requirements in future permits.

The 303(d) list is one piece of information used to inform the development of permits and other decision making. Other factors should also be taken into consideration, such as the results of source study analyses, targeted monitoring efforts, application materials (e.g., reports of waste discharge), and other supplemental information. The State Water Board strongly encourages the Regional Water Boards to use 303(d) listings appropriately in establishing permitting, monitoring, and other data collection requirements.

16. For over two decades, the State Water Board's statewide Bioassessment Program as part of the Surface Water Ambient Monitoring Program ("SWAMP") and partners have led efforts to monitor and assess wadeable streams throughout California. Ongoing bioassessment monitoring programs (e.g., Perennial Streams Assessment, Reference Condition Management Program, and Non Perennial Streams Assessment) provide foundational biological data to

understand stream health. At the core of this effort is the California Stream Condition Index (“CSCI”), a peer-reviewed and widely accepted biological scoring tool that translates complex biological data into a clear, actionable measure of stream health. The CSCI’s 10th percentile reference threshold of 0.79 was selected in conformance with Sections 3.9 and 6.1.5.8 of the Listing Policy. The CSCI accounts for the ecological complexity and diversity of wadeable streams statewide. The Water Boards remain committed to advancing research efforts that are essential for closing data gaps as new data and information become available and refining the applicability of the CSCI, further reinforcing California’s leadership in biological assessment and water quality management.

Ongoing research efforts include scientific analyses to consider the applicability of the CSCI’s 10th percentile reference threshold of 0.79 in specific waterbody types or ecoregions of California. This includes conducting studies and completing scientific peer review for studies related to intermittent streams in Northern California and an environmental similarity analysis for streams located on the Central Valley floor.

17. On December 12, 2024, USEPA informed the State Water Board that it “is disapproving the state’s omission of 53 [waterbodies] and is identifying these impairments for inclusion on the 2024 List of Impaired Waters (2024 List).” Nine waterbodies were identified because USEPA determined that the State Water Board had incorrectly placed them in Category 4b of the 2024 California Integrated Report as not needing a TMDL. The remaining 44 waterbodies were identified because USEPA determined that the State Water Board had not followed the Listing Policy and incorrectly placed waterbodies with benthic community effects impairments in Category 3 of the 2024 California Integrated Report where there was a pollutant associated with the degraded benthic communities, among other reasons. USEPA solicited public comment on its December 12, 2024 letter, but has already added those waterbodies into Category 5 of the 2024 303(d) List as reflected in the USEPA Assessment, Total Maximum Daily Load Tracking and Implementation System (“ATTAINS”). While USEPA has not sent a subsequent letter to officially affirm its placement of the 44 waterbodies into Category 5 following its receipt of comments, the State Water Board recognizes that the 44 waterbodies are currently on the 2024 303(d) List and, therefore, is continuing to place the waterbodies on the 2026 303(d) List. If USEPA ultimately removes these waterbodies from its 2024 303(d) List in response to the comments that it received, the State Water Board will reconsider whether they should remain on its 2028 303(d) List. Some changes have been made, where appropriate, to account for new data and information received for the waterbodies as part of the 2026 data solicitation process.
18. The public comment period for the Draft 2026 303(d) List and the Draft Staff Report began on January 30, 2025, and closed on April 2, 2025. On February 11, 2025, Water Board staff hosted a public workshop to provide an

overview of the 2026 California Integrated Report. On March 18, 2025, prior to the close of the public comment period, the State Water Board held a hearing to receive oral comments on the Draft 2026 303(d) List. In response to the written and oral comments received, the State Water Board distributed a Summary of Comments and Responses along with the Proposed Final 2026 California Integrated Report and Proposed Final Staff Report on December 22, 2025. The State Water Board distributed minor revisions to the Summary of Comments and Responses and the Proposed Final Staff Report on January 23, 2026.

19. The State Water Board is committed to improving outreach processes for the California Integrated Report. Staff is actively taking steps to improve and strengthen external engagement and information transparency to incorporate the State Water Board's racial equity priorities for improved and equitable access to resources from the Racial Equity Action Plan, which was developed in response to a resolution titled, "Condemning Racism, Xenophobia, Bigotry, and Racial Injustice, and Strengthening Commitment to Racial Equity, Diversity, Inclusion, Access, and Anti-Racism" (State Water Board [Resolution No. 2021-0050](#)).
20. The State Water Board is committed to improving processes applied to develop the California Integrated Report. This includes modernization of data analysis tools that will streamline integrated report processes and increase transparency. Tools and processes are continuously being refined to improve transparency, data accessibility, and communication of details related to assessment procedures in current and future California Integrated Reports. Several process improvements and data review tools have been developed to increase the ability of the public to find and understand which data are used, how data are assessed, and the results of the assessments.
21. The State Water Board's approval of the 2026 303(d) List is not a "project" subject to the California Environmental Quality Act because it has no potential to result in a "direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (Pub. Res. Code, § 21065.)
22. Upon adoption of the 303(d) list, the 2026 California Integrated Report will be submitted to USEPA, which may make changes to the 2026 303(d) List. The 2026 303(d) List is only effective on USEPA's approval.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Adopts the 303(d) list portion of the 2026 California Integrated Report.

2. Authorizes the Executive Director or designee to transmit the 2026 California Integrated Report and other supporting information to the USEPA.
3. If, during the process of transmitting the 2026 California Integrated Report to the USEPA, State Water Board staff determines that minor, non-substantive modifications to the 2026 303(d) List are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes and shall inform the State Water Board of the changes.
4. Staff is directed to continue coordinating across the Integrated Report Program, the SWAMP Bioassessment Program, and the Bioassessment Working Group on research efforts to consider the applicability of the CSCI's 10th percentile reference threshold of 0.79 in specific waterbody types or ecoregions of California. Continuing research should ensure scientific accuracy, transparency, and consistency in benthic community assessments. Any refinements to benthic community assessment methodologies shall be incorporated into future 303(d) listing assessments and be clearly and regularly communicated to the public.
5. Staff is directed to continue coordinating with Water Board regulatory program staff to help ensure that 303(d) listings are used appropriately in drafting waste discharge requirements, including NPDES permits, and other Water Board regulatory actions.

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 February 3, 2026.

AYE: Chair E. Joaquin Esquivel
 Vice Chair Dorene D'Adamo
 Board Member Sean Maguire
 Board Member Laurel Firestone
 Board Member Nichole Morgan

NAY: None

ABSENT: None

ABSTAIN: None



Courtney Tyler
Clerk to the Board