



## EXECUTIVE OFFICERS REPORT North Coast Regional Water Quality Control Board

December 2012

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### Update on Water Quality Assessment - The 305(b) and 303(d) Integrated Report

Katharine Carter

California combines the 305(b) Surface Water Quality Assessment (305(b) Assessment) and the 303(d) List of Impaired Waters (303(d) List) into a single process known as the *Integrated Report*, satisfying the requirements of both sections 305(b) and 303(d) of the federal Clean Water Act. Placement on the 303(d) List generally triggers development of a pollution control plan called a total maximum daily load (TMDL) for each water body-pollutant-pair on the list.

#### **The 2010 Integrated Report:**

The current 303(d) List and 305(b) Assessment for waters within the North Coast Region comes from the *2010 Integrated Report*, which was approved by the USEPA on November 12, 2010. The 2010 303(d) List will remain in effect until the next 303(d) List update is approved by the USEPA.

#### **The 2012/2014 Integrated Report:**

North Coast Regional Water Board staff is working closely with State Water Board staff to assess data and develop the *2012/2014 Integrated Report*. Data are currently assessed and documented in lines of evidence (LOEs). LOEs describe the data,

quality control information, the water quality objective to which the data are compared, and how many times the data exceed that objective.

Thus far, State Water Board staff has developed over 1,300 (LOEs). Regional Water Board staff has reviewed and commented on these LOEs, as well as created over 100 LOEs to assist the State Water Board in the data evaluation process.

When all the data submitted for the *2012/2014 Integrated Report* have been evaluated and translated into final LOEs, Regional Water Board staff will determine if the evidence is sufficient to classify a water body as supporting beneficial uses, lacking enough data, or not supporting beneficial uses (i.e., impaired) for a particular pollutant. Staff will describe the basis for each determination in a decision. Fact sheets for each water body-pollutant-pair will include a decision and supporting lines of evidence.

The development of the Integrated Report, including lines of evidence and decisions, is accomplished according to the State Water Board's *2004 Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List*, also known as the Listing Policy.

**Data for the 2012/2014 Integrated Report:**

The data and information listed in the following table are being assessed by Water Board staff as part of the *2012/2014 Integrated Report*. These data are limited to waters in the North Coast Region and were submitted by members of the public, stakeholders, and Water Board staff. Data and information submitted by August 30, 2010, are being evaluated as part of the *2012/2014 Integrated Report cycle*.

| <b>Waterbody</b>              | <b>Pollutant</b>  |
|-------------------------------|---|
| Big River & Berry Gulch       | Temperature, DO, pH, Specific Conductivity  |
| Eel River                     | Algae   |
| Elk River, Little South Fork  | Sediment  |
| Elk River, South Fork         | DO, Turbidity   |
| Freshwater Creek              | Sediment  |
| Humboldt Bay                  | Indicator Bacteria  |
| Humboldt Bay Tributaries      | Indicator Bacteria  |
| Klamath River                 | Dioxin, Pesticides, Metals/Metalloids, Sediment, Modeling Info on Landslide Potential |
| Klamath Project and Tule Lake | Metals, Pesticides, Nutrients   |
| Mark West Creek               | Various   |
| Mendocino Coast Streams       | Metals/Metalloids, Nutrients, Sediment, Misc.   |
| Pudding Creek                 | Temperature   |
| Redwood Creek                 | Sediment, Temperature, Misc.  |
| Region-wide                   | Pesticides (Mussel Watch Data), Various (SWAMP Data)                                  |

| <b>Waterbody</b>  | <b>Pollutant</b>  |
|-------------------|---|
| Region-wide Lakes | Mercury in Fish Tissue  |
| Russian River     | Indicator Bacteria, Algae, Ludwigia                               |
| Scott River       | Flow, Nutrients, Bacteria, DO, pH, Temperature                    |
| Shasta River      | DO, Temperature, Flow, Algae, Nutrients, Metals/Metalloids, Misc. |

**Schedule**

The estimated schedule for the 2012 Integrated Report is shown below.

| <u><b>Activity</b></u>            | <u><b>Timeframe</b></u> |
|-----------------------------------|-------------------------|
| Develop Lines of Evidence .....   | Winter 2012             |
| Develop Decisions .....           | Spring 2013             |
| Develop Staff Report.....         | Summer 2013             |
| Public Review.....                | Fall 2013               |
| Regional Board Consideration..... | Fall/Winter 2013        |
| State Board Consideration .....   | Summer 2014             |
| EPA Consideration .....           | Fall/Winter 2014        |

**For More Information**

Additional information is available on our website at:  
[http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/tmdls/303d/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/tmdls/303d/)  
 or by contacting Katharine Carter at 707-576-2290 or [kcarter@waterboards.ca.gov](mailto:kcarter@waterboards.ca.gov)

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**Petition to the Green Diamond Forest Management WDR**

Kaete King

On November 5, 2012, a petition was received on the Green Diamond Forest Management WDR. This WDR was adopted

on October 4, 2012 and regulates industrial timber harvest activities on most of Green Diamond’s ownership in the region. Staff will work closely with Regional Board counsel while the State Board Office of Chief Counsel evaluates the petition.

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**Assembly Bill 1492**

Fred Blatt

AB1492 was adopted by the Legislature and signed by the Governor in September 2012. One of the highlights of this legislation is that it establishes a Timber Regulation and Forest Restoration Fund (Fund) in the State Treasury. Revenues for the Fund come from a specified assessment imposed on the retail sale of lumber products in the state. The Fund is specified for use in covering the costs of departments and state agencies (i.e. CalFire, CDF&G, CGS, and the Water Boards) related to regulatory activities associated with the management of forest lands. These revenues are designed to replace the General Fund in funding our regulation of forestry activities. The Fund also provides resources for the restoration of the state’s forested lands and promotes restoration of fisheries and wildlife habitat and improvement of water quality. AB1492 also prohibits the collection of fees by timber review agencies for costs associated with the review, inspection, oversight and permitting of timber operations. The retail assessments begin January 1, 2013 and funding of State forest regulatory activities begins with the 2013-14 state fiscal year.

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### Enforcement Report for December 6, 2012 Executive Officer's Report

| Date Issued | Discharger                    | Action Type       | Violation Type                     | Status as of November 13, 2012 |
|-------------|-------------------------------|-------------------|------------------------------------|--------------------------------|
| 8/20/12     | Fairchild Camera & Instrument | Rescission of CAO | Soil and groundwater contamination | No Further Action              |

Comments: On April 21, 1982, the Regional Water Board Executive Officer (EO) issued Cleanup and Abatement Order (CAO) No. 82-60 to Fairchild Camera & Instrument Corporation for soil and groundwater contamination. The site has been investigated and remediated. On August 16, 2012, the EO issued a *No Further Action Required* letter, and on August 20, 2012, the EO issued Order No. R1-2012-0094 rescinding CAO 82-60.

| Date Issued | Discharger                       | Action Type       | Violation Type                     | Status as of November 13, 2012 |
|-------------|----------------------------------|-------------------|------------------------------------|--------------------------------|
| 9/21/12     | Siskiyou County General Hospital | Rescission of CAO | Soil and groundwater contamination | No Further Action              |

Comments: On January 9, 1991, the Regional Water Board EO issued CAO No. 91-15 to Siskiyou County General Hospital for soil and groundwater contamination. The site has been investigated and remediated. On September 21, 2012, the EO issued Order No. R1-2012-0103, rescinding CAO 91-15.

| Date Issued | Discharger                | Action Type | Violation Type  | Status as of November 15, 2012 |
|-------------|---------------------------|-------------|---|--------------------------------|
| 9/24/12     | Sierra Pacific Industries | NOV         | Potential sediment discharge from unauthorized activities | In Compliance                  |

Comments: On September 24, 2012, the Division Chief of the Nonpoint Source and Timber Harvest Division issued a Notice of Violation (NOV) to Sierra Pacific Industries for unauthorized activities. The Discharger had installed a new bridge on Bierce Creek, a tributary of the South Fork of the Trinity River, reactivating an old landslide. The NOV requested that the Discharger develop and implement a short term mitigation plan to limit sediment delivery into Bierce Creek over the 2012-13 winter period. In response, the

Discharger submitted a workplan to remediate the problem and has completed work at the site.

| <b>Date Issued</b> | <b>Discharger</b>  | <b>Action Type</b>             | <b>Violation Type</b>  | <b>Status as of November 13, 2012</b> |
|--------------------|--------------------|--------------------------------|--|---------------------------------------|
| 10/16/12           | Mr. Robert O'Brien | Rescission of CAO and 13267(b) | Unauthorized dredge and fill activities in waters of the United States | No Further Action                     |

Comments: On June 30, 2008, the Regional Water Board EO issued CAO No. R1-2008-0096 to Mr. Robert O'Brien for unauthorized activities in waters of the United States, including disturbance of and construction in wetlands and a watercourse on a site located on Occidental Road in Sonoma County. The CAO required the restoration of the dredged stream, removal of an illegally installed stream crossing, and a jurisdictional delineation of the subject site. The discharger has satisfactorily completed the requirements of the CAO. On October 16, 2012, the EO issued Order No. R1-2012-0111, rescinding CAO R1-2008-0096.

| <b>Date Issued</b> | <b>Discharger</b>   | <b>Action Type</b> | <b>Violation Type</b>  | <b>Status as of November 13, 2012</b> |
|--------------------|---|--------------------|--|---------------------------------------|
| 11/5/12            | Ca. Dept. of Transportation and Ghilotti Construction Company | ACLC               | Violation of CWA section 401 Water Quality Certification and NPDES Stormwater permit | Ongoing                               |

Comments: On November 5, 2012, the Regional Water Board AEO issued Administrative Civil Liability Complaint (ACLC) R1-2012-0112 to the California Department of Transportation and its contractor, the Ghilotti Construction Company, for discharges of waste and water quality impacts associated with the Highway 101 High Occupancy Vehicle Central Project, which extends from north of Pepper Road in Petaluma to Rohnert Park Expressway in Rohnert Park, Sonoma County. The discharges violated provisions of both the Clean Water Act section 401 Water Quality Certification and the NPDES Stormwater permit covering the project. The ACLC proposes a penalty of \$5,565,860.