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STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 94-52

APPROVAL OF AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN  
FOR THE NORTH COAST REGION REVISING PROVISIONS OF THE  
SEASONAL WASTE DISCHARGE PROHIBITIONS FOR THE  
MAD, EEL, AND RUSSIAN RIVERS

WHEREAS:

1. The Regional Water Quality Control Board, North Coast Region (RWQCB) established a seasonal prohibition of waste discharge to the Mad, Eel, and Russian rivers in its 1971 Interim Water Quality Control Plan for the North Coast Basin (1B). The prohibitions were established in order to meet water quality objectives and protect significant beneficial uses of these waters.
2. There are several dischargers to the Mad, Eel, and Russian rivers who are involved with long-range planning for wastewater treatment and disposal.
3. The RWQCB conducted a public workshop on March 24, 1993 and public hearings on August 25, 1993 and March 24, 1994 regarding the seasonal prohibition.
4. The RWQCB adopted an amendment to its Basin Plan on March 24, 1994 under Resolution No. 94-49 (Attachment) amending the seasonal waste discharge prohibition to the Mad, Eel, and Russian rivers.
5. The RWQCB prepared documents and followed procedures satisfying environmental documentation requirements in accordance with Public Resources Code Section 21000 et seq. and other State laws and regulations.
6. Basin Plan amendments do not become effective until approved by the State Water Resources Control Board (SWRCB) and until regulatory provisions are approved by the Office of Administrative Law (OAL).

THEREFORE BE IT RESOLVED THAT:

The SWRCB:

1. Approves the Basin Plan amendment adopted by the RWQCB under Resolution No. 94-49, and

2. Authorizes staff to forward the approved amendment to the U.S. Environmental Protection Agency and the regulatory provisions to OAL for approval.

CERTIFICATION

The undersigned, Administrative Assistant 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 16, 1994.

*Maureen Marché*

Maureen Marché

Administrative Assistant to the Board

California Regional Water Quality Control Board  
North Coast Region

RESOLUTION NO. 94-49

AMENDING THE  
WATER QUALITY CONTROL PLAN FOR THE NORTH COAST REGION  
SECTION IV, IMPLEMENTATION PLANS,  
POINT SOURCE MEASURES, WASTE DISCHARGE PROHIBITIONS  
FOR THE NORTH COASTAL BASIN

- WHEREAS, The California Regional Water Quality Control Board, North Coast Region (Regional Water Board) adopted the water quality control plans for the Klamath River Basin (1A) and North Coastal Basin (1B) on March 20, 1975. The Klamath River Basin (1A) plan and the North Coastal Basin (1B) plan were combined to form the Water Quality Control Plan for the North Coast Region (Basin Plan) on April 28, 1988, and approved by the State Water Resources Control Board on November 15, 1988. The Basin Plan has been updated several times since then; and
- WHEREAS, The Regional Water Board first declared a seasonal prohibition of waste discharge to the Mad, Eel, and Russian Rivers in its 1971 Interim Water Quality Control Plan for the North Coastal Basin (1B). The prohibitions were established in order to meet objectives and protect significant beneficial uses. At the time, the prohibition was being met or could be met by all or a majority of potential dischargers. The seasonal prohibition has remained in the Basin Plan, with an exception for discharges to the Laguna de Santa Rosa, since 1971.
- WHEREAS, There exist numerous significant beneficial uses in the Mad, Eel, and Russian rivers, which include municipal and domestic supply and freshwater habitat; and
- WHEREAS, There exist technologies which provide high quality wastewater effluent under controlled circumstances, which may not adversely impact beneficial uses of the Mad, Eel, and Russian rivers; and
- WHEREAS, Section 13225 of the Porter-Cologne Water Quality Control Act delegates the Regional Water Board with the responsibility for encouraging regional planning and action for water quality control; and
- WHEREAS, There exist several wastewater dischargers to the Mad, Eel, and Russian rivers who are involved with long range planning for wastewater treatment and disposal; and
- WHEREAS, The Regional Water Board, in its Triennial Review of the Basin Plan, adopted Resolution No. 93-14 on February 25, 1993, which contains a priority list of planning issues. In this list, the Regional Water Board identified the need to review the existing seasonal waste discharge prohibitions for the North Coastal Basin; and

- WHEREAS, The Regional Water Board conducted a public workshop on March 24, 1993 to receive and consider comments on the seasonal waste discharge prohibitions to the Mad, Eel, and Russian rivers; and
- WHEREAS, The California Department of Fish and Game in a March 21, 1994 letter finds that the amendment will not jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of the species; and
- WHEREAS, A Notice of Filing and Notice of Public Hearing, a Public Report containing proposed revisions to the Basin Plan's waste discharge prohibitions and environmental documentation functionally equivalent to the California Environmental Quality Act (CEQA) requirements for the proposed revisions were transmitted to interested individuals and public agencies for review and comment; and
- WHEREAS, The Regional Water Board held a public hearing on August 25, 1993, and carefully considered all testimony and comments received on this matter, continued the public hearing to March 25, 1994; and
- WHEREAS, A Notice of Filing and Notice of Continuation of Public Hearing, a Supplemental Public Report containing the text of a revised proposed amendment and revised environmental documentation functionally equivalent to the CEQA requirements and a summary of comments and responses to the proposed Basin Plan amendment were transmitted to interested individuals and public agencies for review and comment; and
- WHEREAS, The Regional Water Board held a public hearing on March 24, 1994 and carefully considered all testimony and comments received on this matter, and has determined that the proposed Basin Plan amendment could have a significant effect on the environment, but that there will not be a significant effect because mitigation measures have been incorporated into the Basin Plan amendment.

THEREFORE, BE IT RESOLVED, that the Regional Water Board amends Section IV, Point Source Measures for the North Coastal Basin, as follows:

#### SECTION 4

#### IMPLEMENTATION PLANS

This section presents the actions intended to meet water quality objectives and protect beneficial uses of the Klamath River Basin and North Coastal Basin. The following measures shall be taken with respect to actual and potential point and nonpoint sources of water quality degradation.

POINT SOURCE MEASURES

## WASTE DISCHARGE PROHIBITIONS

Section 13243 of the Porter-Cologne Water Quality Control Act authorizes the Regional Water Board - in a water quality control plan or in waste discharge requirements - to specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted.

Under this authority and in order to achieve water quality objectives, protect present and future beneficial water uses, protect public health, and prevent nuisance, the Regional Water Board declares that point source waste discharges, except as stipulated by the Thermal Plan, the Ocean Plan, and the Action Plans and policies contained in the Point Source Measures section of this Water Quality Control Plan, are prohibited in the following locations in the Region:

Klamath River Basin

1. All surface, freshwater impoundments and their tributaries, with the exception of the lower Lost River system.
2. Crescent City Harbor and all estuaries in accordance with the provisions of the State Board's "Water Quality Control Policy for the Enclosed Bays and Estuaries of California."
3. Smith River and its tributaries.
4. Klamath River and its tributaries, including but not limited to the Trinity, Salmon, Scott, and Shasta Rivers and their tributaries.
5. The Applegate, Illinois, and Winchuk Rivers and their tributaries.
6. On all coastal streams and natural drainage ways that flow directly to the ocean, all new discharges will be prohibited. Existing discharges to these waters will be eliminated at the earliest practicable date.
7. All intertidal reaches of the coast.
8. Areas of Special Biological Significance.
9. All other tidal waters unless it is demonstrated on the basis of waste characteristics, degree and reliability of treatment, rate of mixing and dilution, and other technical factors that water quality objectives will be met and all beneficial uses will be protected.

North Coastal Basin

1. All surface fresh water impoundments and their tributaries.

2. All bays and estuaries in accordance with the provisions of the State Water Resources Control Board's "Water Quality Control Policy for the Enclosed Bays and Estuaries of California."
3. The Mad and the Eel rivers and their tributaries during the period May 15 through September 30 and during all other periods when the waste discharge flow is greater than one percent of the receiving stream's flow as set forth in NPDES permits.<sup>1</sup>
4. The Russian River and its tributaries during the period of May 15 through September 30 and during all other periods when the waste discharge flow is greater than one percent of the receiving stream's flow as set forth in NPDES permits. In addition, the discharge of municipal waste during October 1 through May 14 shall be of advanced treated wastewater in accordance with effluent limitations contained in NPDES permits for each affected discharger, and shall meet a median coliform level of 2.2 mpn/100 ml.<sup>2</sup>
5. The Regional Water Board will consider exceptions for cause to the waste discharge rate limitations set forth in Prohibitions 3. and 4. (above). Exceptions shall be defined in NPDES permits for each discharger, on a case by case basis, and in accordance with the following:
  - A. The wastewater treatment facility shall be reliable.

Reliability shall be demonstrated through analysis of the features of the facility including, but not limited to, system redundancy, proper operation and maintenance, and backup storage capacity to prevent the threat of pollution or nuisance.
  - B. The discharge of waste shall be limited to rates and constituent levels which protect the beneficial uses of the receiving waters.

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<sup>1</sup> For dischargers not in compliance with the seasonal prohibition and waste discharge rate limitation, time schedules shall be set forth in National Pollutant Discharge Elimination System (NPDES) permit updates for each discharger. In addition, each discharger not in compliance shall report to the Regional Water Board on progress towards compliance on an annual basis.

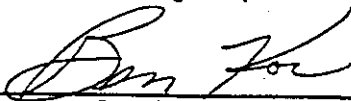
<sup>2</sup> For dischargers not in compliance with the waste discharge rate limitation and/or advanced wastewater treatment, time schedules shall be set forth in NPDES permit updates for each discharger. In addition, each discharger not in compliance shall report to the Regional Water Board on progress towards compliance on an annual basis.

discharges, including point and nonpoint source contributions, both in existence and reasonably foreseeable. For receiving waters which support domestic water supply (MUN), the Regional Water Board shall consider the California Department of Health Services evaluation of compliance with the Surface Water Filtration and Disinfection Regulations contained in Section 64650 through 64666, Chapter 17, Title 22 of the California Code of Regulations. Demonstration of protection of beneficial uses shall include consultation with the California Department of Fish and Game regarding compliance with the California Endangered Species Act.

- C. The exception shall be limited to that increment of wastewater which remains after reasonable alternatives for reclamation have been addressed.
  - D. The exception shall comply with State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality Waters in California," and the federal regulations covering antidegradation (40 CFR §131.12).
  - E. There shall be no discharge of waste during the period May 15 through September 30.
- 6. On all other coastal streams and natural drainageways that flow directly to the ocean all new discharges will be prohibited. Existing discharges to these waters will be eliminated at the earliest practicable date.
  - 7. All intertidal reaches of the coast.
  - 8. Areas of Special Biological Significance.
  - 9. All other tidal waters unless it is demonstrated on the basis of waste characteristics, degree and reliability of treatment, location of discharge, rate of mixing and dilution, and other technical factors that water quality objectives will be met and all beneficial uses will be protected.

#### Certification

I, Benjamin D. Kor, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, North Coast Region, on March 24, 1994.



Benjamin D. Kor  
Executive Officer