

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title: Total Maximum Daily Load for Pathogens in San Luis Obispo Creek

Location: San Luis Obispo Watershed, San Luis Obispo County, San Luis Obispo California

Project Proponent: Central Coast Regional Water Quality Control Board, Region 3
895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906

Project Description:

San Luis Obispo Creek is listed as "impaired waters" under the federal Clean Water Act, Section 303(d). The Central Coast Regional Water Quality Control Board (CCRWQCB) has prepared a Pathogen Total Maximum Daily Load (TMDL) for San Luis Obispo Creek (Creek). The TMDL describes the assimilative capacity of the Creek and allocates fecal coliform discharges. Fecal coliform are used as an indicator for the presence of pathogens. The magnitude of the allocations are such that the capacity of the Creek is not exceeded, subsequently ensuring that water quality objectives are met and beneficial uses protected. The TMDL includes a technical report that describes impacts from fecal coliform to beneficial uses. The TMDL also evaluates sources of fecal coliform, establishes numeric targets, and calculates maximum allowable loads while still being protective of beneficial uses. It also includes an Implementation and Monitoring Plan that describes course of actions to be taken to achieve desired water quality objectives. Together, these comprise the "project" in this finding.

The Total Maximum Daily Load is expressed as a maximum concentration of fecal coliform. The Total Maximum Daily Load is:

Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN per 100mL, nor shall more than 10% of all samples exceed 400 MPN per 100mL.

The TMDL is based on the water quality objective for the protection of the water contact recreation beneficial use. Achieving the TMDL will require varying degrees of reduction of fecal coliform, relative to current levels. Varying degrees of reduction are necessary as exceedence of the water quality objective varies seasonally.

Findings of Exemption:

The Environmental Checklist has "no impact" listed for all questions. It is expected that implementing and achieving the TMDL will result in no environmental impacts to the Creek or its watershed.

Please see the attached Environmental Checklist.

December 3, 2004

Certification:

I hereby certify that the California Regional Water Quality Control Board, Central Coast Region, has made the above findings of fact and that based upon the Environmental Checklist, written report and hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Roger W. Briggs
Executive Officer
Regional Water Quality Control Board
Friday, December 3, 2004

Attachment: Environmental Checklist: Staff Report Attachment C: California Environmental Quality Act "Functional Equivalent" Report for Basin Plan Amendment (Resolution No. R3-2004-0142)