

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title: Pajaro River Total Maximum Daily Loads (TMDLs) for Sediment (including Llagas Creek, Rider Creek, and San Benito River) and Land Disturbance Prohibition

Location: Pajaro River Watershed in San Benito, Santa Clara, Santa Cruz, and Monterey Counties, California

Project Proponent: Central Coast Regional Water Quality Control Board, Region 3
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Project Description:

Pajaro River, Llagas Creek, Rider Creek, and San Benito River are 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 Pajaro River Total Maximum Daily Loads for Sediment (including Llagas Creek, Rider Creek, and San Benito River) to determine the assimilative capacity of the water bodies and to allocate sediment discharges so that they do not exceed this capacity, thus ensuring beneficial uses are protected and water quality objectives met. The Total Maximum Daily Load includes a technical report that describes sediment impacts to Beneficial Uses in these waterbodies, evaluates sources of sediment, establishes numeric targets, and calculates total loads that would protect Beneficial Uses. It includes an Implementation Plan with a Land Disturbance Prohibition and also proposes the development of a Monitoring Plan within five-years of TMDL approval. Together, these comprise the "project" in this finding.

The present rate of sediment production in the Pajaro River Watershed is accelerated due to anthropogenic disturbances associated with human settlement and resource extraction. Biological resource impacts are varied, but anadromous fisheries have experienced a well-documented decline over the past century. Known sediment impacts to fish habitat include filling of pools and spawning areas by fine sediment and excessive suspended sediment concentrations. The TMDLs seek to address sediment-related impacts to these resources through a program of erosion control, which would reduce the average annual sediment load of the watershed by approximately 65 percent. This reduction in loads is expected to produce improved conditions in streambed sediment conditions and suspended sediment concentrations as measured by numeric targets identified in the TMDL.

Because the sediment objectives in the Basin Plan are narrative, rather than numeric, the TMDLs establish numeric targets as indicators of water quality that are supportive of beneficial uses. The numeric targets serve to interpret the narrative water quality objectives and provide a measure with which to determine if the objectives and the TMDLs are being met. The TMDLs use two types of numeric targets; suspended sediment concentration and streambed characteristics. Numeric targets for suspended sediment concentration and duration are derived from Newcombe

and Jensen Severity of Ill Effects (SEV) model. These suspended sediment numeric targets represent water quality conditions for seven (7) major subwatersheds with the Pajaro River system. Numeric targets for streambed characteristics include residual pool volume targets, as well as size and composition of sediment within spawning gravels.

The numeric targets, not actual loads or reductions in loads, will be measured, as they are a more direct indicator of beneficial use protection. They provide a more comprehensive method in which to evaluate progress regarding load reductions and the attainment of water quality objectives and protection of beneficial uses. Relationships between individual targets and water quality improvements will be examined over time.

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
December 2, 2005

Attachment: Environmental Checklist: Staff Report Attachment C: California Environmental Quality Act "Functional Equivalent" Report for Basin Plan Amendment (Resolution No. R3-2005-0132)