

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD NORTH COAST
REGION

RESOLUTION No. R1-2025-0010

SUPPORTING SUBMITTAL OF THE COASTAL PATHOGEN SOURCE REDUCTION
STRATEGY TO THE STATE WATER RESOURCES CONTROL BOARD TO INCLUDE
AS PART OF THE 2028 INTEGRATED REPORT

WHEREAS, the California Regional Water Quality Control Board, North Coast Region (North Coast Water Board) finds that:

1. Federal Clean Water Act (CWA) Section 303(d) requires States to identify waterbodies that do not meet water quality standards and to take appropriate actions to remedy those impairment(s). Six coastal streams and twelve ocean beaches in the North Coast region are identified on California's CWA Section 303(d) List (303(d) List) as impaired by pathogens for Water Contact Recreation (REC-1) and/or Shellfish Harvesting (SHELL) beneficial use.
2. The North Coast Water Board conducted pathogen assessment studies in and around the 303(d) listed impaired waterbodies. These studies also included streams not currently listed as impaired on the 303(d) List. These streams were not evaluated for impairment of the REC-1 beneficial use in previous Integrated Report cycles since they did not have sufficient data to be evaluated as per the Water Quality Control Policy for Developing California's Clean Water Act Section 303(d) List' (Listing Policy).
3. Based on the North Coast Water Board's pathogen assessment studies, thirteen additional coastal streams in the North Coast region are not identified on California's CWA Section 303(d) List, but do have at least one exceedance of the bacterial REC-1 water quality objective (objective).
4. Under CWA Section 303(d), the North Coast Water Board is required to establish a Total Maximum Daily Load (TMDL) for those pollutants identified as causing impairment of waters on the 303(d) List.
5. U.S. EPA's 2022-2032 Vision for the Clean Water Act Section 303(d) Program (EPA Vision) recognizes that, in addition to TMDLs, other types of plans may be more immediately beneficial or practicable for restoring water quality; encourages the most effective approaches for restoring water quality; and acknowledges how vital creativity and collaboration are for successful restoration.

6. U. S. EPA's Integrated Report Guidance recommends that States use the following five reporting "categories" to report on the water quality status of all waters in their State:

Category 1: All Beneficial Uses are supported, no use is threatened;

Category 2: Available data and/or information indicate that some, but not all of the beneficial uses are supported;

Category 3: There is insufficient available data and/or information to make a beneficial use support determination;

Category 4: Available data and/or information indicate that at least one beneficial use is not being supported or is threatened, but a TMDL is not needed;

Category 5: Available data and/or information indicate that at least one beneficial use is not being supported or is threatened, and a TMDL is needed. Waters in Categories 4 and 5 are considered impaired or threatened. However, only Category 5 waters are included on a State's Section 303(d) list. Category 4 waters, while also impaired or threatened, have certain conditions that exclude them from the 303(d) list. These conditions, known as subcategories of Category 4 in the U.S. EPA's Integrated Reporting Guidance, are as follows:

Category 4a: TMDL has been completed;

Category 4b: TMDL is not needed because other pollution control requirements are expected to result in the attainment of an applicable water quality objective (objective) in a reasonable period of time;

Category 4c: The non-attainment of any applicable objective for the waterbody is the result of pollution and is not caused by a pollutant. Examples of circumstances where an impaired segment may be placed in Category 4c include waterbodies impaired solely due to lack of adequate flow or to stream channelization.

7. Category 4b provides an alternative approach to a TMDL (known as a Category 4b demonstration) where other pollution control requirements are expected to result in the attainment of an applicable Objective in a reasonable period of time.
8. Consistent with the EPA Vision, the North Coast Water Board staff developed a Coastal Pathogen Source Reduction Strategy (Implementation Plan), which serves as a Category 4b demonstration, to address fifteen 303(d) listed pathogen

impairments for REC-1 and/or Shellfish Harvesting (SHELL) and 13 additional waterbodies with exceedances of the REC-1 objective.

9. The primary goal of the Implementation Plan is to restore supporting conditions for beneficial uses and ensure compliance with water quality objectives in the impaired waterbodies impacted by anthropogenic activities generating fecal waste.
10. In order to prevent future impairments, the Implementation Plan also addresses polluted waterbodies that have not been identified as impaired, but do show exceedances of the REC-1 objective.
11. The Implementation Plan does not establish or change any existing regulations but rather references existing regulatory and non-regulatory actions that are expected to result in attainment of objectives in these waterbodies.
12. The Implementation Plan describes pollutant sources to the impaired and polluted waterbodies and describes ongoing and expected implementation actions to reduce pollutant loading. The Implementation Plan identifies pet waste, onsite wastewater treatment systems (OWTS), stormwater runoff, damaged, defective, or non-functioning wastewater collection systems, grazing, recreation, and transient communities as potential causes of pollution to these waterbodies and outlines actions to reduce potential pollutant discharges due to all of these causes and sources.
13. Available data indicates that all six impaired coastal streams, 13 coastal streams with exceedances of the REC-1 Objective, and nine REC-1 and/or SHELL impaired ocean beaches all have anthropogenic sources of pollution that can be controlled.
14. Three impaired ocean beaches are not addressed in the Implementation Plan as these beaches did not show evidence of anthropogenic fecal sources that could be controlled. Available data collected from these three beaches indicates gulls, deer, and elk as the sources of fecal pollution.
15. Ongoing and foreseeable actions by numerous parties in the watersheds of the impaired and polluted waterbodies are expected to continue to improve and protect water quality in these waterbodies. These parties include the Humboldt County Department of Environmental Health, Humboldt County Public Works Department, City of Arcata Environmental Services Department, City of Eureka Public Works Department, Jacoby Creek Land Trust, Trinidad Coastal Land Trust, Mendocino County Environmental Health Division, Mendocino Land Trust, North Coast Water Board Dairy Program, North Coast Water Board Enforcement Program, North Coast Water Board Storm Water Unit, California Department of Parks and Recreation, and State Water Resources Control Board.
16. The Implementation Plan identifies the North Coast Water Board's existing regulatory tools and other means for achieving pollutant reductions.

17. Beginning in 2020, North Coast Water Board staff conducted outreach to local agencies with jurisdiction in the watersheds of the impaired and polluted waterbodies. Source control efforts have already begun as documented and detailed in the Implementation Plan.
18. The Implementation Plan relies on the monitoring and reporting requirements of the various regulatory measures required to address the sources of fecal waste identified in the waterbodies sampled.
19. Regionally supported Category 4b demonstrations are submitted to the State Water Board and U.S. EPA for acceptance through the Integrated Report Process.
20. The North Coast Water Board's support for the Implementation Plan for these waterbodies is not a "project" as defined in the California Environmental Quality Act (CEQA) (Pub. Res. Code § 21065) because the Plan is not an "activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (Pub. Res. Code § 21065). The Implementation Plan identifies and discusses ongoing and expected actions to remedy the impairment in these waterbodies but does not mandate compliance activities.
21. The waterbodies addressed in the Implementation Plan are based on the 2024 Integrated Report. After the 2026 Integrated Report is accepted by U.S. EPA, North Coast Water Board staff may amend the Implementation Plan to reflect any changes to the impairment status of the waterbodies addressed as a result of the 2026 and future Integrated Report processes.

THEREFORE, BE IT RESOLVED that the North Coast Water Board:

1. Supports the Implementation Plan which is reasonably expected to achieve water quality objectives in these waterbodies, as documented in the Implementation Plan.
2. Directs staff to transmit the Implementation Plan to State Water Board staff for inclusion in the 2028 Integrated Report, associated public processes, and ultimately transmittal to the U.S. EPA.

I, Valerie Quinto, 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 April 2, 2025.

Valerie Quinto Executive Officer