STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Setenay Bozkurt Frucht
MEETING DATE: October 9, 2024

ITEM: **7**

Total Maximum Daily Load (TMDL) Program Update – Informational Item

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT: Setenay Bozkurt Frucht
MEETING DATE: October 9, 2024

ITEM: 7

Total Maximum Daily Load Program Update

DISCUSSION:

This item provides an update on the Total Maximum Daily Load (TMDL) Program, including a summary of the TMDL development process, our efforts in prioritizing, developing, and completing TMDLs, and a discussion of TMDL implementation.

This Board has adopted a total of twenty-two TMDLs (U.S. EPA-approved pollution control strategies) and two Water Quality Improvement Plans, collectively addressing 230 listings (pollutant-water body combinations), less than half of the total number of the impaired water bodies currently identified in the San Francisco Bay Region. In the next three years, we anticipate asking the Board to consider three additional TMDLs or Water Quality Improvement Plans that would address pathogens in six San Francisco Bay Beaches in San Mateo County, and low dissolved oxygen conditions in Lake Merritt and in Suisun Creek.

At the same time, we are reviewing the Mercury and Polychlorinated Biphenyl (PCB) TMDLs for San Francisco Bay that were approved in 2008 and 2010, respectively. These TMDLs are currently being implemented via various programs. The initial timeline for addressing the impairment of the San Francisco Bay by mercury and PCBs was set as twenty years in these TMDLs. As we approach the end of the initial timelines, we plan to propose revisions to the TMDL timelines and implementation strategies for San Francisco Bay Regional Water Quality Board (Regional Water Board) consideration by 2030.

The TMDL Program is currently allocated 7.6 Person Years (formerly 8.6 Person Years). In addition to developing the five TMDLs stated above, TMDL program staff implement fifteen TMDLs across the region that have been approved in the last twenty years. TMDL implementation activities include assisting regulatory programs such as Municipal Stormwater and Onsite Wastewater Treatment System with actions specified in TMDLS, as well as running the Vineyard Program in the Napa River and Sonoma Creek watersheds, and the Grazing Program in the Napa River, Sonoma Creek, Petaluma River, and Tomales Bay watersheds.

Overview of the TMDL Development Process

The federal Clean Water Act requires states to assess the condition of their water bodies and report that information to U.S. EPA as part of an Integrated Report. An important element of the Integrated Report is the identification of impaired waters and the pollutants causing those impairments. The list of impaired water bodies is often referred to as the “303(d) list”, referencing the identification requirement in section 303(d) of the Clean Water Act. In California, Regional Water Board staff gather and assess all readily available water quality data from surface waters and recommend waterbody-pollutant combination listings to State Water Resources Control Board (State Water Board) staff, who in turn compile the recommendations into a statewide list of impaired water bodies, conduct a public process to bring the

recommended list before the State Water Board for adoption. This process was carried out for the 2024 303(d) list and a final list of impaired waters for the whole state was approved in February 2024.

The Clean Water Act further requires states to establish TMDLs for the listed pollutants in impaired waters. TMDLs are essentially water body-specific cleanup or restoration plans that target the pollutants causing impairments. We typically establish TMDLs via amendments to the Water Quality Control Plan for the San Francisco Bay Basin (our "Basin Plan").

Essential components of TMDLs in California include:

- Establishment of numeric target(s) that define the desired or "restored" condition of the water body
- Determination of the maximum pollutant amounts that can be allowed while still meeting these targets
- Identification of the sources of the pollutant(s) reaching the water body
- Allocations of pollutant loads or load reduction responsibility to these sources
- Development of an implementation plan for regulatory and other actions to achieve allocations and the TMDL

Our TMDL website serves as a resource to the public and stakeholders. It provides an expanded discussion on the TMDL development process and provides a list of completed TMDLs, active TMDL projects, and forthcoming meetings or workshops.

Overview of TMDL Implementation

Implementation actions identified in TMDLs are generally incorporated into existing permits, such as the NPDES Municipal Regional Stormwater Permit third iteration which was adopted by the Board in 2022, or require the development of new permits, such as the General Permit for Vineyard Properties in the Napa River and Sonoma Creek Watersheds adopted by the Board in 2017. Accordingly, effective implementation of our TMDLs requires significant engagement and resources of Planning Division staff and staff from other divisions. With recent budget reductions in staff resources, restoring impaired waters has become more challenging.