



Legislation Text

File #: 2019-0986, **Version:** 1

To: Board of Supervisors

Department or Agency Name(s): County Administrator, Permit Sonoma

Staff Name and Phone Number: Nathan Quarles 565-1146, Terri Wright 565-3775

Vote Requirement: Majority

Supervisory District(s): Countywide

Title:

Russian River Total Maximum Daily Load Action Plan Comments

Recommended Actions:

Authorize the Chair to sign and submit comments approved by the On-Site Wastewater Treatment System Ad Hoc to the Regional Water Quality Control Board related to the 2019 Draft Staff Report and Draft Action Plan for the Russian River Pathogen Total Maximum Daily Load (TMDL) by the June 24, 2019 deadline.

Executive Summary:

This action is to authorize the Chair to submit comments on the North Coast Regional Water Quality Control Board's (Regional Water Board's) draft action plan (Draft TMDL) to reduce the level of bacteria in the Russian River. The 2019 Draft Action Plan is a result of a 2015 Staff Report and Draft Action Plan that received significant public comment, which persuaded the Regional Water Board to revisit the proposed program of implementation. Since that time, the County has entered into a Memorandum of Understanding (MOU) with the Regional Water Board to coordinate efforts. This coordination, public comment, and the adoption of statewide bacteria objectives and implementation options have resulted in significant changes to the 2015 Draft Action Plan.

Many of the concerns expressed by the County have been addressed, but issues of process and burdensome costs to residents remain. The 2019 Draft Action Plan has expanded the reach of areas that will be subject to new requirements. The impact will be felt in areas that have yet to receive any meaningful outreach.

Discussion:

Background

Several surface waters in the Russian River Watershed are identified on the 2012 Clean Water Act section 303 (d) List of Impaired Waters due to pathogen indicator bacteria concentrations exceeding water quality standards. To reduce concentrations of pathogens to minimize human exposure to waterborne diseases and to protect uses of water for recreational activities, the Regional Board has developed a Pathogen Total Maximum Daily Load (Pathogen TMDL) and Draft Action Plan. The Draft Action Plan summarizes the findings of the TMDL analysis, discusses the assessments and evidence of impairment and establishes a program of implementation and monitoring to attain water quality objectives, restore beneficial uses, and protect the public's health.

Prior comments to the Regional Water Board have focused on the lack of clear boundaries to the new requirements, and the lack of clear evidence tying the pollution to individual sources, such that it is clear that the burdens imposed make sense. The Regional Water Board has responded to these comments by creating a map of the “Advanced Protection Management Plan” (APMP) area. This map is attached. The Regional Water Board has narrowed the parcels substantially that will be in the APMP area, but because of the lack of prior outreach the public is likely to be surprised by the expansive map, which extends far into the Russian River tributaries. The proposed letter will address the following issues:

1. As stated in previous correspondence, the Regional Water Board should send out individual notifications to impacted property owners.
2. The implementation costs will be significant.
3. Until better monitoring data is available, the Regional Water Board should adopt a phased approach. It should concentrate on properties that are within 600 feet of the Russian River, and phase in actions on tributaries. It should also phase in requirements based on funding availability.
4. Inspection costs should be minimized.

Prior Board Actions:

The Board previously sent its comments on the TMDL on October 7, 2015. Subsequently, the Board authorized the County to enter into a Memorandum of Understanding with the North Coast Regional Water Quality Control Board, and the Board did so on December 13, 2016.

FISCAL SUMMARY

Expenditures	FY 18-19 Adopted	FY19-20 Projected	FY 20-21 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures	0	0	0
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	0	0	0

Narrative Explanation of Fiscal Impacts:

There is no fiscal impact related to the preparation of this response letter.

Staffing Impacts:			
Position Title (Payro	Monthly Salary Range (A - I Step)	Additions (number)	Deletions (number)

Narrative Explanation of Staffing Impacts (If Required):

NA

Attachments:

Russian River Pathogen TMDL APMP Map

MOU with RWQCB

Related Items "On File" with the Clerk of the Board:

NA