

ITEM:

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SUBJECT:

Adopted Total Maximum Daily Loads for Salt and Boron in the San Joaquin River and Dissolved Oxygen in the Deep Water Ship Channel Portion of the San Joaquin River- *Status Report*

BOARD ACTION:

Information and Discussion

BACKGROUND:

The Central Valley Regional Board adopted Basin Plan Amendments and Total Maximum Daily Loads (TMDLs) for salinity and boron in the San Joaquin River (SJR) in September 2004 and dissolved oxygen in the Deep Water Ship Channel (DWSC) portion of the SJR at Stockton in January 2005. Both TMDLs are at the State Water Board awaiting approval. Consideration of approval by the State Water Board of the TMDLs has been delayed due to requests from interested parties for additional time to review and comment while the State Water Board is conducting a periodic review of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan). The Bay-Delta Plan includes, among other things, the water quality objectives for salinity and dissolved oxygen, upon which the SJR TMDLs are based.

Based upon our review of comments and exhibits submitted to the State Water Board, Regional Board staff provided written comments to the State Water Board indicating that insufficient information was presented to support changing the existing Vernalis salinity objective. Regional Board staff comments also indicated that, contrary to comments submitted by other interested parties, no new information relevant to the recently adopted TMDLs was submitted to the State Water Board during the periodic review.

Both the salt and boron, and dissolved oxygen TMDLs are phased. The salt and boron TMDL is phased to first establish a framework for load allocations to comply with Vernalis salinity objectives before commencing work on establishing upstream objectives. The dissolved oxygen TMDL is phased to allow time for gathering additional information before establishing detailed allocations for loads of oxygen demanding substances and their precursors. Current staff efforts on these TMDLs are partially dependent upon the approval of the initial phases by the State Water Board (and subsequently by USEPA).

Additional information on the State Water Board's periodic review of the Bay-Delta Plan and the status of Regional Board staff efforts on the subsequent phases of the salt and boron, and dissolved oxygen TMDLs is provided in the Attachment 1.

ISSUES:

Timely State Water Board review of the salt and boron, and dissolved oxygen TMDLs is important because there are a number of dependent work products that are slowed or delayed until the TMDLs are approved:

- Work to establish salinity standards on the San Joaquin upstream of Vernalis is hampered without an approved TMDL for salinity control at Vernalis.
- Work with the USBR to develop specific elements of a Management Agency Agreement as described in the Phase I salt and boron TMDL is also delayed because of lack of certainty of the final TMDL framework.
- Responsiveness of the regulated community to provide study plans to evaluate their contribution to the dissolved oxygen impairment is reduced due to lack of certainty of TMDL control program.

The overall ability of staff and the Regional Board to effect meaningful improvements in water quality with regard to these two major water quality impairments is hampered by the State Water Board delay in considering approval of the TMDLs.

Mgmt. Review _____
Legal Review _____

5 August 2005

Central Valley Regional Water Quality Control Board
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