



Agenda Date: 8/23/2005
Agenda Placement: 9B

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Cathy Gruenhagen for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: Hillary Gitelman, Director, 253-4805

SUBJECT: Direction to Watershed Information Center & Conservancy (WICC) Board to review and apprise the Board on the Napa River TMDL process.

RECOMMENDATION

Director of Conservation, Development and Planning requests the Board of Supervisors provide direction to the Watershed Information Center & Conservancy (WICC) Board to review draft materials associated with the Regional Water Quality Control Board's (RWQCB) proposed Total Maximum Daily Load (TMDL) allocations for the Napa River basin and apprise the Board of Supervisors of opportunities in the TMDL process for local input and participation.

EXECUTIVE SUMMARY

The RWQCB is in the process of developing TMDLs for the Napa River and its tributaries, and is currently circulating preliminary technical reports for public review and comment. The reports assess and allocate both sediment and pathogen loading (i.e., pollution) within the basin. The RWQCB is actively seeking input from the local community and interested stakeholders such as Napa County.

The RWQCB's technical reports provide an initial opportunity for the public, interested parties and independent peer review of on the scientific bases and scopes of the TMDLs and the action plans intended to address impairment and ultimately improve the beneficial uses (i.e., namely safe water contact and fish habitat) of the Napa River basin. The numeric targets, source analysis, linkages, implementation plans and monitoring outlined in the reports will be revised as appropriate based upon comments received. No regulatory action by the RWQCB is being considered at this time. However, the State Board will ultimately consider adoption of a Basin Plan amendment that may in turn require adoption of local regulations and/or prioritization of expenditures by the County to meet State mandates.

Whereas the Board of Supervisors created the Watershed Information Center & Conservancy (WICC) Board as a long-term watershed resource management program to provide public outreach, education and coordination in support of watershed restoration and resource protection and monitoring activities, the Board of Supervisors may wish to direct the WICC Board to review draft materials associated with the RWQCB's proposed TMDL allocations

and apprise the Board of Supervisors of key opportunities in the TMDL process for local input and participation. Such materials may include, but would not be limited to, background documents and studies utilized by RWQCB staff to develop preliminary technical reports to support proposed TMDL allocations and, as time permits, draft comment letters prepared by County staff for consideration by the Board of Supervisors.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

On May 21, 2002, under Resolution No. 02-103, the Board of Supervisors created the Watershed Information Center & Conservancy (WICC) of Napa County and a WICC Board of Directors charged with directing a long-term watershed resource management program intended to provide public outreach, education and coordination in support of watershed restoration and resource protection activities, including the coordination of land acquisition, restoration projects, watershed monitoring and inventory, water quality and habitat assessment, and data management. The WICC Board of Directors consists of fourteen members and two alternate members and represents a broad range of stakeholder interests.

The mission of the WICC is to educate and support community efforts to maintain and improve the health of Napa County's watershed lands. An identified goal in the WICC's Strategic Plan is to improve watershed health throughout Napa County by supporting community efforts to protect and enhance watershed lands and natural processes with an emphasis on riparian corridors and native species and their habitats. This involves the identification and coordination of watershed studies and monitoring aimed to improve the community's understanding and management of its watersheds and ultimately lead to the removal of the Napa River and its tributaries from California's Section 303(d) list of impaired water bodies. One strategy identified and currently underway by the WICC Board, is the development of a countywide watershed monitoring strategy and the implementation of improved management practices based upon monitoring results, feedback and adaptive management principles.

Section 303(d) of the 1972 federal Clean Water Act requires that states develop a list [known as the 303(d) list] of water bodies that do not meet water quality standards, establish priority rankings for waters on the list, and develop action plans, called Total Maximum Daily Loads (TMDLs), to improve water quality. The State's Water Resources Board and regional boards such as the San Francisco Bay Regional Water Quality Control Board (RWQCB) are the agencies taking the lead in these endeavors.

The Napa River is on California's 303(d) list of impaired water bodies for excess nutrients, pathogens, and sedimentation/siltation. As a result, the RWQCB is charged with developing TMDLs for each of these pollutants. Presently, the RWQCB is circulating two preliminary TMDL Technical Reports which summarize the sediment and pathogen impairments, analyze potential sources, suggest numeric targets and allocations for each source category, and propose recommended implementation plans.

On July 19, 2005, staff of the RWQCB presented the sediment and pathogen Technical Reports to the Board of Supervisors and indicated their desire for community and stakeholder review and comment. The RWQCB staff expects that subsequent drafts of the preliminary reports will be enhanced as a result of public input and independent scientific peer review. County staff is currently preparing a County comment letter for review by the Board on September 13, 2005. The end of the comment period is September 15, 2005.

The Director of Conservation, Development, and Planning seeks the Board's direction regarding referral of TMDL-related matters to the WICC for input. The Board may choose to direct the WICC Board to review draft materials associated with the RWQCB's proposed TMDL allocations and apprise the Board of Supervisors of key opportunities in the TMDL process for local input and participation. Such materials may include, but would not be limited to, background documents and studies utilized by RWQCB staff to develop preliminary technical reports to support proposed TMDL allocations and, as time permits, draft comment letters prepared by County staff for consideration by the Board of Supervisors.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey