

EXECUTIVE OFFICER'S SUMMARY REPORT  
8:30 A.M., Thursday, September 29, 2011  
Regional Water Quality Control Board  
David C. Joseph Hearing Room  
5550 Skylane Blvd., Ste. A  
Santa Rosa, CA 95403

Item: 4

Subject: Public Hearing on Resolution No. R1-2011-0069, Directing Staff to Use Existing Authorities to Implement Water Quality Objectives for Temperature in the North Coast Region and Develop for Board Consideration a Basin Plan Amendment to Incorporate a Temperature Implementation Policy

### **Background**

On September 29, 2011 staff from the North Coast Regional Water Quality Control Board (Regional Water Board) will present an overview and the Regional Water Board will consider adoption of the proposed *Policy for Implementation of the Water Quality Objective for Temperature in the North Coast Region* (Policy).

The purpose of this Policy is to recognize an existing regulatory framework to address exceedances of the water quality objective for temperature where they occur, and prevent exceedances where the objective is currently achieved. The Policy does this by describing the water quality objectives for temperature, identifying common activities that have the potential to elevate water temperatures in exceedence of water quality objectives, and identifying regulatory mechanisms by which they are addressed. By identifying the activities that have the potential to elevate water temperatures, and identifying regulatory mechanisms by which they will be addressed, the Policy provides a comprehensive and consistent approach to the control of elevated temperatures throughout the north coast region. The Policy also provides direction to staff developing and implementing permits and evaluating the water quality impacts of proposed actions, and clarification to the public regarding what is required to comply with the objective.

The Policy will be supported by the development of a guidance document and a monitoring plan. The guidance document will inform the public and Regional Water Board staff on temperature-related issues that must be considered when designing or reviewing a project proposal, as well as available tools for evaluating temperature impacts. The monitoring plan will establish a program Regional Water Board staff will implement to evaluate the efficacy of the Policy, and provide guidance on appropriate monitoring techniques to assess whether management actions required to prevent or reduce elevated temperatures are implemented and effective.

Approximately sixty-one percent of the area of the North Coast Region is listed as temperature impaired, per Section 303(d) of the Clean Water Act, because the water quality of those rivers and streams does not meet the temperature water quality objectives, or protect certain beneficial uses. Section 303(d) of the Clean Water Act requires states to address impaired waters by developing a TMDL or implementing another program that will result in the attainment of water quality standards. To date, temperature TMDLs have been developed addressing forty-eight percent of the area of the north coast region. The documented impairment by temperature of the majority of the watersheds in the North Coast Region points to the need for a region-wide approach for addressing temperature issues. The establishment and implementation of this Policy will facilitate the Region's efforts to resolve 303(d) temperature listings, and in the process increase efficiency of staff's efforts to meet Clean Water Act obligations.

The proposed *Policy for Implementation of the Water Quality Objective for Temperature in the North Coast Region* takes the form of a Resolution from the Regional Water Board. Through the Resolution, the Regional Water Board will also give direction to the Executive Officer to develop a Basin Plan amendment for consideration no later than December 31, 2013.

STAFF RECOMMENDATION: Adopt Resolution No. R1-2011-0069 as proposed.