
Key Issues & Potential Modifications: Se TMDLs for the Newport Bay Watershed

Workshop #1: Implementation Plan

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Purpose

- Identify key points of consensus
- Identify key issues and potential modifications
- Seed discussion for Table Representatives
- Identify a TMDL structure that
 - Takes into account the uncertainties of the TMDL
 - Meets the objectives of all participants

Key Points of Consensus

- BMP Strategic Plans to be developed based upon assessment areas
 - Responsible Parties decide what area(s) the plan covers
 - Minimum of one universal plan, maximum up to the number of assessment areas
- Selenium Management Programs no longer needed
 - Areas will be covered by a BMP Strategic Plan

Key Issues Overview

- TMDL Structure
- BMP Strategic Plan(s) Requirements
- Compliance Timeframe

Key Issue: TMDL Structure

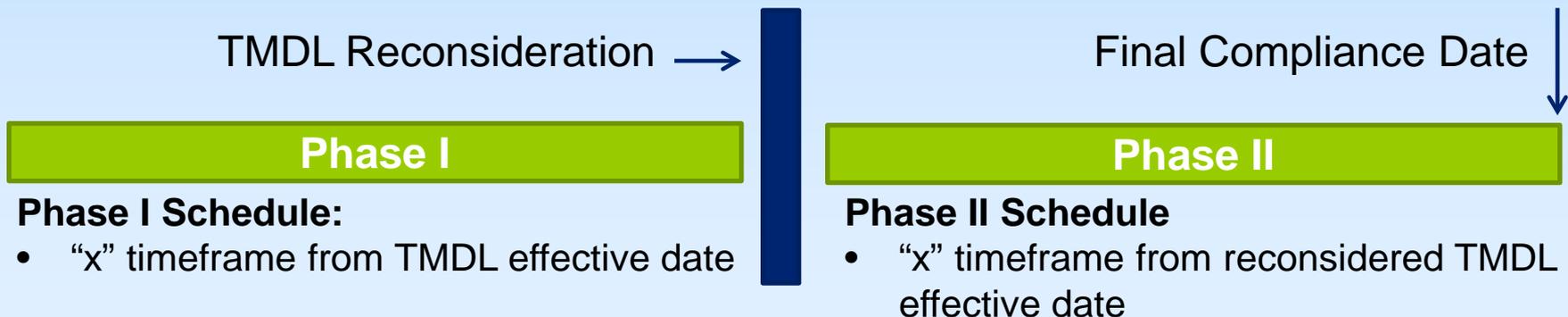
- Current structure is continuous, adaptive management



- Significant uncertainty due to:
 - Revisions to Water Quality Objectives (Numeric Targets)
 - Associated WLAs and LAs

Potential Modification: TMDL Structure

- Establish TMDL as a **Phased TMDL**
- Per EPA Guidance (2006)
 - Phased TMDL = matter of TMDL development
 - Adaptive Management = post-development implementation concepts
 - Phased TMDLs warranted when revision to applicable water quality standard is underway



Key Issue:

BMP Strategic Plan Requirements

- Current language pre-TSO BMP Strategic Plan
 - TSO BMP Strategic Plan sufficient?
 - Big Canyon Wash?

Potential Modification: BMP Strategic Plan Requirements

- Phased BMP Strategic Plan(s) that align with the Phased TMDL Structure
- Clearly identify what needs to be addressed in Phase I BMP Strategic Plan(s)

Phase I BMP Strategic Plan:

Focus Phase I on controllable sources (dewatering) via diversion BMPs and source control BMPs

Phase I

Phase II BMP Strategic Plan:

Phase II determined when TMDL is reconsidered

Phase II

Key Issue:

Compliance Timeframe

- Current schedule is 15 years
- Not necessarily based on timeframe needed for actions to occur

Potential Modification: Compliance Timeframe

- Base Phase I timeframe on the time needed to implement required tasks of Phase I
 - Installation of BMPs via Phase I BMP Strategic Plan(s) (2-10 years)
 - Period of time to assess effectiveness of BMPs (3-5 years)
 - Development & approval of Offset Program (1-3 years)
 - SSO development, adoption, approval (3-5 years)
 - Any special studies (TBD, likely several years)

Phase I:
TBD years...?

Phase II:
TBD years...?

Potential Modifications: Summary

Phase I Actions:

- Phase I BMP Strategic Plan(s) – controllable sources, and some rising groundwater, via BMPs
- Assess effectiveness of BMPs
- Offset Program Development, Approval
- SSO Development, Adoption, Approval
- Special Studies

**Phase I:
TBD years**

Phase I Schedule:

- “x” timeframe from TMDL effective date

Phase II Actions:

- Phase II BMP Strategic Plan to attain revised WLAs

**Phase II:
TBD years**

Phase II Schedule

- “x” timeframe from reconsidered TMDL effective date

TMDL Reconsideration

Final Compliance Date



