

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
8:30 A.M., Thursday, May 12, 2016
Wiyot Community Center
1000 Wiyot Drive
Loleta, CA 95551

- ITEM: 2
- SUBJECT: Continued from April 7, 2016 Board Meeting. Public Hearing on Resolution No. R1-2016-0017 to consider adoption of an amendment to the *Water Quality Control Plan for the North Coast Region* to include the *Action Plan for Upper Elk River Sediment Total Maximum Daily Load* addressing sediment impairments in the Upper Elk River (Alydda Mangelsdorf)
- BOARD ACTION: The Regional Water Quality Control Board (Regional Water Board) will consider Resolution No. R1-2016-0017 (Resolution) adopting the revised proposed *Action Plan for the Upper Elk River Sediment TMDL* (TMDL Action Plan). The Resolution and TMDL Action Plan together comprise the Sediment TMDL for the Upper Elk River Watershed.
- BACKGROUND: At the April 7, 2016 Board meeting, the Regional Water Board heard public testimonies from stakeholders and interested parties on the proposed TMDL Action Plan. The substantial and lengthy public testimony prompted the Regional Water Board to make edits to the proposed TMDL Action Plan. At the conclusion of the hearing, the Regional Water Board motioned to close all oral comments and public testimony and postpone a decision to the next Board meeting. On April 28, 2016, the Regional Water Board released a revised public notice to its Lyris list subscribers and on its website, announcing the availability of the revised proposed TMDL Action Plan and the date and time of the public hearing.
- Staff has reviewed and refined certain edits to the TMDL Action Plan that were contemplated toward the end of the hearing on April 7, 2016. These edits reflect minor changes requested by Board members in response to the public testimony at the April 7 hearing to clarify 1) that hillslope indicators and targets are used to inform Board decision making; 2) that a load allocation does not constitute an effluent limitation or a waste load allocation and that the Board has discretion in implementing it in WDRs, waivers or other actions to reduce and eliminate waste discharges; and 3) that staff will review the sediment source analysis for the Upper Elk River, sediment deposition in the impacted reach and Lower Elk River, and the need for a Lower Elk River sediment TMDL, in its five year reassessment

using Recovery Assessment tools and other available data, as appropriate. These edits are not substantive and fall within the logical outgrowth of the content previously noticed for this item. As expressed by the Board on April 7, 2016, the public hearing on this agenda item has been closed and no new oral or written comments, testimony or evidence will be accepted at the May 12, 2016 hearing.

RECOMMENDATION: Adopt Resolution R1-2016-0017 and the revised proposed TMDL Action Plan.

SUPPORTING
DOCUMENTS:

1. Resolution No. R1-2016-0017
2. Revised Proposed TMDL Action Plan (“redline-strikethrough” version)
3. Revised Proposed TMDL Action Plan (clean version)
4. Revised Notice of Public Hearing