

EXECUTIVE OFFICER'S SUMMARY REPORT  
8:30 A.M., Thursday, November 3, 2011  
Regional Water Quality Control Board  
David C. Joseph Hearing Room  
5550 Skylane Blvd., Ste. A  
Santa Rosa, CA 95403

Item: 5

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) presented the proposed *Policy for Implementation of the Water Quality Objective for Temperature in the North Coast Region* (Policy). Staff requested that the Regional Water Board defer action on the item until the November 3<sup>rd</sup> Board meeting to allow the public more time to review changes to the proposed Policy made to address concerns expressed by stakeholders. The Regional Water Board agreed and reopened the public comment period for an additional two week period. The Regional Water Board further directed staff to be prepared to respond to the comments verbally at the November 3, 2011 meeting.

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 exceedance 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.

Approximately sixty-one percent of the area of the North Coast Region (by area) is listed as temperature impaired, per Clean Water Act section 303(d). These listings have occurred because the water quality of those rivers and streams does not meet the

temperature water quality objectives. 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 regionwide 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.