

Regional Water Quality Control Board  
North Coast Region

Executive Officer's Summary Report  
Wednesday, November 20, 2013  
Regional Water Board Office  
Santa Rosa, California

- ITEM: 2
- SUBJECT: Public Hearing on Resolution No. R1-2013-0058, amending the Water Quality Control Plan for the North Coast Region to include the Policy for the Implementation of the Water Quality Objectives for Temperature, and Action Plans to Address Temperature Impairments in the Mattole, Navarro, and Eel River Watersheds (Bryan McFadin)
- BOARD ACTION: Staff is presenting the proposed amendment to the Water Quality Control Plan for the North Coast Region (Basin Plan) to the Regional Water Board for consideration of adoption into the Basin Plan.
- BACKGROUND: The Regional Water Board directed staff to prepare an amendment incorporating a temperature implementation policy into the Basin Plan by adoption of resolution R1-2012-0013.
- ISSUES: Staff is proposing Basin Plan revisions that will add a *Policy to Implement the Water Quality Objective for Temperature (Policy)*. The amendment also will add additional Action Plans to implement the Navarro, Mattole, Upper Main Eel, Middle Main Eel, Lower Eel, Middle Fork Eel, North Fork Eel, and South Fork Eel River temperature total maximum daily loads (Action Plans). The proposed revisions to the Basin Plan include changes to Chapter 4 - Implementation Plans. The proposed Basin Plan amendment describes the approach to implementing the water quality objectives for temperature in one cohesive policy. It identifies the regulatory mechanisms staff will employ to ensure achievement of the water quality objective for temperature, it describes the significance of stream shade as a factor determining stream temperatures and identifies shade as a controllable water quality factor, and it directs staff to address temperature concerns through existing authorities and processes. The proposed Policy also directs the development of a temperature monitoring plan and temperature workplan.
- The Policy and Action Plans were presented to the Regional Water Board during the public comment period at a public workshop as part of the Regional Water Board's September 26 meeting in Fortuna, California. Staff has received 17 comment letters on the proposed Basin Plan amendment. The major themes of the comments received include concerns related to: the specificity of actions that will result from the Policy, the Regional Water Board's

authority to address riparian shade, the term “site potential effective shade”, adequacy of the environmental analysis, duplication of the Forest Practice Rules, adequacy of the science, adequacy of the approach, and reliance on processes outside of the control of the Regional Water Board. Responses to the summarized comments and the individual comment letters are attached.

**SIGNIFICANT  
CHANGES:**

Minor changes were made to the Staff Report in response to comments received. The changes are shown in strikethrough/underline in the attached Final Draft Staff Report. Minor editorial changes were also made to the proposed Policy and Action Plans. These changes are represented in both strikethrough/underline versions of the Policy and Action Plans and clean copies of the Policy and Action Plans.

**SUPPORTING  
DOCUMENTS:**

1. Resolution No. R1-2013-0058 amending the Basin Plan
2. Policy to Implement the Water Quality Objectives for Temperature (Attachment 1 to Resolution No. R1-2013-0058), strikethrough/underline versions and clean copies.
3. Resolution R1-2012-0013, Policy Statement for Implementation of the Water Quality Objectives for the North Coast Region (Attachment 2 to Resolution No. R1-2013-0058)
4. Action Plans to Address Elevated Water Temperatures in the Mattole, Navarro, and Eel River Watersheds (Attachment 3 to Resolution No. R1-2013-0058), strikethrough/underline versions and clean copies.
5. Final Draft Staff Report Supporting the Policy for the Implementation of the Water Quality Objectives for Temperature and Action Plan to Address Temperature Impairment in the Mattole River Watershed, Action Plan to Address Temperature Impairment in the Navarro River Watershed, and Action Plan to Address Temperature Impairment in the Eel River Watershed
6. Staff Responses to Comments
7. Comment Letters
8. Notice of Public Hearing