

**Attachment B**  
Draft Elk River TMDL Implementation Framework

<b>Responsible Party and Landuse</b>	<b>Proposed Regulatory Coverage</b>	<b>Summary of Management Measures</b>
<p>All landowners conducting activities with the potential to discharge excess sediment or have existing sites that do not have coverage by a WDR or a Waiver</p>	<p>Prohibition on the Discharge of Excess Sediment: The discharge or threatened discharge of excess sediment from human caused activities to waters of the state is prohibited. Excess sediment is defined herein as soil, rock, and/or sediments (e.g. sand silt, or clay) discharged to waters of the state in an amount that could be deleterious to beneficial uses or cause a nuisance. <i>(New: Elk River specific)</i></p>	<p>The Regional Board supports implementation of the following sequential elements by persons discharging or threatening to discharge excess sediment:</p> <ol style="list-style-type: none"> <li>1. <u>Prevent</u> – Plan, design, and implement the project or activity in such a way that no excess sediment discharge occurs or could occur to waters of the state.</li> <li>2. <u>Minimize</u> – If the discharge or threatened discharge of excess sediment cannot be fully prevented, then plan, design, and implement the project in such a way that discharges to waters of the state are minimized to the maximum extent possible.</li> </ol> <p>Sediment control practices include, but are not limited to, project design, engineering and scheduling alternatives, and management measures, practices, and techniques that prevent and/or minimize discharges or threatened discharges of excess sediment. Steps to be taken to address discharge of excess sediment from existing sources include:</p> <ol style="list-style-type: none"> <li>1. <u>Inventory</u>: Identify sources of excess sediment or threatened discharge, and quantify the discharge or threatened discharge from the source(s).</li> <li>2. <u>Prioritize</u>: Prioritize efforts to control discharge of excess sediment based on, but not limited to, severity of threat to water quality and beneficial uses, the feasibility of source control, and source site accessibility.</li> <li>3. <u>Implement</u>: Develop, and implement feasible sediment control practices to prevent, minimize, and control the discharge.</li> <li>4. <u>Monitor and Adapt</u>: Use monitoring results to direct adaptive management measures in order to refine and adjust erosion control practices and implementation schedules, until sediment discharges is reduced and no longer causes a violation of any sediment related narrative or numeric objective.</li> </ol> <p>Landowners actively engaged in activities designed to come into compliance with the Prohibition will be considered on a path towards compliance.</p>

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Industrial Timber Landowners	Watershed-WDRs <i>(Existing but need revisions)</i>	<ul style="list-style-type: none"> <li>• Management Plan (inventory and schedule)               <ul style="list-style-type: none"> <li>○ Timber harvesting</li> <li>○ Roads</li> <li>○ Sediment discharge sites (including skids and landslides)</li> </ul> </li> <li>• Prevention measures               <ul style="list-style-type: none"> <li>○ Site treatment standards (ground cover, canopy)</li> <li>○ Riparian Protections (CI, CII, CIII)</li> <li>○ Mass wasting Prevention (Landslide Hazard map)</li> <li>○ Timing of activities (winter ops, stand conditions)</li> <li>○ Effluent Limitation (e.g. peak flows, sediment production, suspended sediment loads)</li> </ul> </li> </ul>
Non-Industrial Timber Landowners	Conditional Waiver <i>(New: Elk Specific or determine general waiver can be used in Elk with additional tools)</i>	<ul style="list-style-type: none"> <li>• Management Plan (inventory and schedule)               <ul style="list-style-type: none"> <li>○ Timber harvesting</li> <li>○ Roads</li> <li>○ Sediment discharge sites (including skids and LS)</li> </ul> </li> <li>• Prevention measures               <ul style="list-style-type: none"> <li>○ Site treatment standards</li> <li>○ Riparian</li> <li>○ Mass wasting</li> <li>○ Timing of activities</li> <li>○ Harvest Cap (peak flows, sediment, effluent limitation)</li> </ul> </li> </ul>
Small Timber Landowner	WDR – Individual or group <i>(New: As needed)</i>	If landowner(s) do not elect to enroll under Conditional Waiver, a report of waste discharge could be submitted to inform development of an individual (or group) WDR

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Agricultural and Grazing activities	Conditional Waiver <i>(New: Either Regional or Elk specific and consistent with Regional approach)</i>	<ul style="list-style-type: none"> <li>• NPS Pollution prevention plan:               <ul style="list-style-type: none"> <li>○ A description of the proposed activity, maps, area, intensity and timing</li> <li>○ An assessment of quantity of waste that will be produced by the grazing activities, including maps, that show potential waste discharge routes to waters, including direct discharge, discharge onto surfaces which may carry overland flow, discharge to soil that may be connected to groundwater or surface water, and surfaces that may become inundated during flood events.</li> <li>○ A description of proposed control to prevent and minimize discharges of waste from the grazing activities into surface and groundwaters</li> <li>○ A monitoring program to track implementation and effectiveness of control measures.</li> <li>○ A schedule for starting the grazing activities and implementing control measures and monitoring</li> </ul> </li> </ul>
Small landowner agricultural or grazing	WDR – Individual or group <i>(New: As needed)</i>	If landowner(s) do not elect to enroll under Conditional Waiver, a report of waste discharge could be submitted to inform development of an individual (or group) WDR
DFG Refuge	Conditional Waiver <i>(New)</i>	<ul style="list-style-type: none"> <li>• Riparian and floodplain protections</li> <li>• Inventory and restoration of controllable sediment discharge sites</li> <li>• Develop management plan for recreational and agricultural uses</li> </ul>
Partnership of : Regional Water Board, Dept of Fish and Game, NOAA Fisheries, US Fish and Wildlife Service, Redwood Community Action Agency, Humboldt Redwood Company, Technical Advisors, Stakeholder Advisors	Instream Restoration of Lower Elk River	<ul style="list-style-type: none"> <li>• Participation and cost share in development of restoration plan</li> <li>• Participation and cost share in implementation of restoration plan</li> </ul>

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Regional Water Board	Designate areas outside the Eureka City limits as a Phase II Municipality	<ul style="list-style-type: none"> <li>• Require the development of a stormwater management program consistent with the new State Water Resources Control Board NPDES Permit for Phase II Stormwater, expected for adoption in 2009.</li> </ul>
Humboldt County Stormwater	NPDES Permit: Phase II MS4 (New)	<ul style="list-style-type: none"> <li>• Develop a stormwater management program consistent with the new Phase II MS4 permit which addresses the following elements:               <ul style="list-style-type: none"> <li>○ Develop ordinances to control runoff from construction sites. Conduct inspections to verify ordinance compliance and enforce appropriately.</li> <li>○ Incorporate Low Impact Development (LID) planning in community development plans and require LID on individual projects</li> <li>○ Implement Post Construction BMPs</li> <li>○ Hydromodification analysis and control</li> <li>○ Require adequate stream protections to reduce pollutant loads in stormwater</li> </ul> </li> </ul>
Humboldt County Roads	Conditional Waiver or could (be addressed by NPDES coverage under stormwater management plan) (New)	<ul style="list-style-type: none"> <li>• Update and maintain an inventory of exiting sediment discharge sites::               <ol style="list-style-type: none"> <li>1. <u>Inventory</u>: Identify sources of excess sediment or threatened discharge, and quantify the discharge or threatened discharge from the source(s).</li> <li>2. <u>Prioritize</u>: Prioritize efforts to control discharge of excess sediment based on, but not limited to, severity of threat to water quality and beneficial uses, the feasibility of source control, and source site accessibility.</li> <li>3. <u>Implement</u>: Develop, and implement feasible sediment control practices to prevent, minimize, and control the discharge.</li> <li>4. <u>Monitor and Adapt</u>: Use monitoring results to direct adaptive management measures in order to refine and adjust erosion control practices and implementation schedules, until sediment discharges is reduced and no longer causes a violation of any sediment related narrative or numeric objective.</li> </ol> </li> </ul>

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City of Eureka,	NPDES Permit: Phase II MS4 <i>(Revise existing Stormwater Management Plan and ordinances pursuant to new Phase II MS4 NPDES Permit and TMDL Action Plan)</i>	<ul style="list-style-type: none"> <li>• Revise stormwater management program to comply with the new Phase II MS4 permit to addresses the following elements:               <ul style="list-style-type: none"> <li>○ Develop ordinances to control runoff from construction sites. Conduct inspections to verify ordinance compliance and enforce appropriately.</li> <li>○ Incorporate Low Impact Development (LID) planning in community development plans and require LID on individual projects</li> <li>○ Implement Post Construction BMPs</li> <li>○ Hydromodification analysis and control</li> <li>○ Require adequate stream protections to reduce pollutant loads in stormwater</li> </ul> </li> </ul>
BLM	Conditional Waiver <i>(New)</i>	<ul style="list-style-type: none"> <li>• Treat existing sources               <ol style="list-style-type: none"> <li>1. <u>Inventory</u>: Identify sources of excess sediment or threatened discharge, and quantify the discharge or threatened discharge from the source(s).</li> <li>2. <u>Prioritize</u>: Prioritize efforts to control discharge of excess sediment based on, but not limited to, severity of threat to water quality and beneficial uses, the feasibility of source control, and source site accessibility.</li> <li>3. <u>Implement</u>: Develop, and implement feasible sediment control practices to prevent, minimize, and control the discharge.</li> <li>4. <u>Monitor and Adapt</u>: Use monitoring results to direct adaptive management measures in order to refine and adjust erosion control practices and implementation schedules, until sediment discharges is reduced and no longer causes a violation of any sediment related narrative or numeric objective.</li> </ol> </li> <li>• Investigation and mitigation strategy for mass wasting features</li> </ul>
Caltrans	Existing NPDES	