



NOTICE OF PUBLIC WORKSHOPS

A series of three workshops will be held to discuss the development of Total Maximum Daily Loads (TMDLs) for Selenium in the Newport Bay Watershed

BACKGROUND

In 2002, the United States Environmental Protection Agency (US EPA) promulgated Toxics TMDLs for the Newport Bay watershed. These Toxics TMDLs covered many different constituents, including selenium. Since the promulgation of the Toxics TMDLs, the Santa Ana Regional Water Quality Control Board (Regional Board) has been working to develop several constituent-specific Basin Plan Amendments in order to adopt implementation plans and compliance schedules, as well as to modify, as appropriate, the TMDLs promulgated by US EPA.

In 2004, stakeholders in the Newport Bay watershed developed and implemented the Nitrogen and Selenium Management Program (NSMP), focused on addressing issues of nitrogen and selenium. The Regional Board has worked collaboratively with the stakeholders in the NSMP on selenium-specific efforts, including development of tissue-based site-specific objectives and a Best Management Practices (BMP) Strategic Plan for the watershed.

Building off the work and collaborative process of the NSMP, the Regional Board worked with stakeholders to develop a draft staff report and Basin Plan Amendment to incorporate selenium-specific TMDLs. These TMDLs, once adopted and approved, would supersede the selenium components of US EPA's 2002 Toxics TMDLs. In 2009, working documents of the staff report and Basin Plan Amendment were prepared, but due to numerous scientific, legal and economic challenges, the TMDL development process was halted.

Since that time, Regional Board staff has continued to work with stakeholders and other regulatory and resource agencies to identify solutions to these challenges. In order to proceed with the TMDL development process, a series of three workshops will be held to provide an opportunity for focused discussion on remaining issues. These workshops will form the basis for the NSMP stakeholders, acting as a third-party with consultant support, to assist the Regional Board in completing the staff report and Basin Plan Amendment by mid-2014. Regional Board staff intends to bring the selenium-specific TMDLs forward for consideration by the Regional Board by the end of 2014.

WORKSHOP PROCEDURAL MATTERS

The workshops will be professionally facilitated to ensure an orderly, efficient, impartial, and focused process.

Participation at the focused meetings is structured to provide for an appropriate level of participation by key stakeholder groups, while preserving the ability for the meeting facilitator to ensure a collaborative discussion on the Staff Report and Basin Plan Amendment for the TMDLs.

Meeting participants will be divided into two groups of representatives: a limited group of representatives to be seated at the meeting table and an audience group. The total number of representatives at the meeting table will be limited to 19 subdivided into stakeholder groups as described in the table below. Stakeholders groups can comprise their seats at the table as they so choose and rotate particular topic experts from the audience to the table depending on the topic being discussed. Stakeholder groups are responsible for deciding individual representatives for each topic.

Ample audience seating will be provided so that interested persons can attend the focused meetings. Audience members will be allowed to ask questions and make comments prior to lunch and at the end of each meeting.

All meeting attendees, and in particular representatives who will be seated at the meeting table, are strongly encouraged to review the working documents prepared for the TMDLs in 2009 prior to the workshop(s). Review of the existing working documents will facilitate participation and support a productive dialogue.

The first two workshops will focus on discussing and identifying approaches for various aspects of the Staff Report and Basin Plan Amendment for the TMDLs. The third workshop will entail a review of the recommended approaches for preparing each TMDL section as prepared and summarized by the consultants supporting TMDL development. Stakeholder group representatives will be asked to provide feedback on whether the consultant summary accurately reflects the discussions and any consensus achieved at the first two workshops. Consequently, representatives who participate in the third workshop will be limited to those who participated as representatives at either of the first two workshops.

Stakeholder Group	Representatives at the Table
Regulated Dischargers	4
Regional Board / State Board Staff	4
US EPA	1
USGS/USFWS	2
Environmental Community	2
Business Community	2
Consultants supporting TMDL development	4

WORKSHOP DATES AND LOCATIONS

The workshops are scheduled as follows:

Workshop #1

Date: Wednesday, January 15, 2014

Time: 8:00am – 5:00pm

Place: Riverside County Flood Control and Water Conservation District
1995 Market Street
Riverside, CA 92501

Workshop #2

Date: Thursday, January 30, 2014

Time: 8:00am – 5:00pm

Place: Santa Ana Watershed Project Authority (SAWPA)
11615 Sterling Avenue
Riverside, CA 92503

Workshop #3

Date: Tuesday, February 11, 2014

Time: 8:00am – 5:00pm (ending time may be changed after completion of first two workshops)

Place: Santa Ana Watershed Project Authority (SAWPA)
11615 Sterling Avenue
Riverside, CA 92503

WORKSHOP AGENDA TOPICS

Three workshops will be held, focused on the aspects of the TMDLs identified in the table below. Each topic will consist of the following three components:

- Overview of the approach(es) in the working documents from 2009
- Identification of key issues and potential modifications
- Discussion with table participants

As the primary purpose of the workshops will be to identify modifications to the existing working documents from 2009, workshop participants are strongly encouraged to review the existing documentation and to be prepared to discuss potential modifications to the Staff Report and Basin Plan Amendment associated with the topics identified in the table below.

The agendas for each of the three workshops are attached to this notice.

<u>Workshop #1</u> January 15, 2014 Focus: Regulatory Discussions
<ul style="list-style-type: none">• Impairment Assessment• Phased TMDL Structure (e.g., implementation plan/compliance schedule approach)• Load/Wasteload Allocations Approach• Compliance Determination

Workshop #2 January 30, 2014 Focus: Technical Discussions
<ul style="list-style-type: none"> • Numeric Targets (approach and values for water, fish, birds for use as numeric targets) • Linkage Analysis (conversion of tissue targets into water column concentrations) • Monitoring Plan Approach
<ul style="list-style-type: none"> • Identify any other remaining issues
Workshop #3 February 11, 2014 Focus: Approach for Developing Revised Staff Report and Basin Plan Amendment for the TMDLs
<ul style="list-style-type: none"> • Review consultants' summary of approach(es) for preparing each TMDL section • Clarify what will be included in the revised staff report and basin plan amendment
<ul style="list-style-type: none"> • Summarize next steps

ADDITIONAL PUBLIC COMMENT OPPORTUNITIES

This notice specifically applies to the series of three workshops that will be held to form the basis of the revised Staff Report and Basin Plan Amendment. However, further public review and comment opportunities on both the Staff Report and proposed Basin Plan Amendment will be provided as part of the formal Basin Plan Amendment consideration process starting in the fall of 2014.

AVAILABILITY OF DOCUMENTS

The working draft documents from the 2009 TMDLs effort will be available in early 2014 at:

[Regional Board website](#)

and

[NSMP website](#)

LUNCH AND PARKING INFORMATION

Lunch will be available within the meeting room of each workshop for a fee of \$12, payable upon arrival. Individuals must arrive by 9:30am in order to guarantee lunch on-site.

For all three workshops, parking is located on-site and is free.

CONTACTS FOR ADDITIONAL INFORMATION

Questions about this notice should be directed to Terri Reeder at (951) 782-4995/treeder@waterboards.ca.gov and Jian Peng at (714) 955-0651/jian.peng@ocpw.ocgov.com.

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