

CHAPTER 11. PUBLIC PARTICIPATION

Key Points

- The public has had many opportunities to comment on and participate in the development of this Draft Scott River TMDL Action Plan and Staff Report.
- The Scott River TMDL Technical Advisory Group (TAG) has provided input and advice to Regional Water Board staff. Staff have responded to many questions and comments raised by the TAG.
- A public Scoping Meeting was held to solicit public comment on the scope of the environmental review.
- Status updates and presentations on the Scott River TMDL have been made to the Regional Water Board and members of the public.
- There will be many more opportunities for public input and comment on the Scott River TMDL Action Plan.

This chapter describes some of the opportunities that have been made available to the public for comment on and participation in the development of the Scott River TMDL Action Plan.

11.1 SCOTT RIVER TMDL TECHNICAL ADVISORY GROUP

The Scott River Sediment and Temperature TMDL Technical Advisory Group (TAG) was formed to provide input and advice to staff of the Regional Water Board during development of the technical TMDLs for sediment and temperature in the Scott River watershed. Although forming a TAG was not a requirement of the Basin Plan amendment process, the existence of the TAG engaged members of the community and helped to produce a more robust TMDL Action Plan.

Members of the TAG included representatives from the California Department of Fish & Game, the California Department of Forestry & Fire Protection, the California Department of Water Resources, the County of Siskiyou, the Farm Bureau, Fruit Growers Supply Company, the National Oceanic & Atmospheric Administration, the Natural Resources Conservation Service, the Quartz Valley Indian Community, the Scott River Watershed Council, the Siskiyou Resource Conservation District, Timber Products Company, the United States Fish & Wildlife Service, the University of California Cooperative Extension, the Karuk Tribe, several members of the local communities, and contractors working on behalf of the Regional Water Board to assist with the development of certain sections of the TMDL.

Six meetings were held over the course of the TMDL development period, which began in earnest in January 2003. During this time, Regional Water Board staff presented the following documents for TAG review and comment:

- Scott River Temperature TMDL Monitoring and Study Plan (May 2003).
- Scott River Sediment TMDL Monitoring and Study Plan (December 2003).
- Scott River Mainstem Temperature Analysis Update: 2003 Monitoring Results, Working Hypotheses, and Next Steps (April 2004).
- Scott River Basin Sediment TMDL Stratified Random Sampling for Streamside and Road-Associated Sediment Contribution (May 2004).
- Scott River Sediment TMDL Source Analysis Strategy (August 2004).
- Scott Temperature TMDL Source Analysis Methods (December 2004).
- South Fork Scott River Pilot Study for the Sediment TMDL (January 2005).

Throughout the TAG process, Regional Water Board staff attempted to respond to questions and concerns raised by the TAG. Several examples of staff responses to TAG suggestions are as follows:

Temperature:

- In response to concerns that a single simulation period (August 27 –September 10, 2003) was not an adequate basis for analysis, the July 28 – August 1 Scott River model application was developed and model scenarios completed. The task resulted in a doubling of the total number of Scott River model runs conducted.
- A vegetation ecologist was contracted to develop a riparian vegetation analysis. Two field trips were held in order to discuss approaches, RipTopo model assumptions, and to evaluate tree heights predicted by the RipTopo model.
- A new approach was developed to depict potential vegetation conditions in areas where whole scale vegetation changes have occurred. The new approach eliminated the use of the “nibble function” applied in the first draft of the RipTopo results, and instead used a set of decision rules developed with TAG member input to simulate potential vegetation conditions.
- Riparian vegetation conditions shown in the 1944 aerial photos were reviewed and compared to RipTopo modeling results.
- Numerous wording changes were made to early draft products in response to TAG comments.
- Many comments and suggestions received from TAG members on an early draft of the Scott River TMDL Action Plan and Staff Report were incorporated.

Sediment:

- In response to an overarching concern about the field and analytical methods proposed for use in the Scott River temperature TMDL analysis, Regional Water Board staff agreed to prepare a pilot study for the South Fork Scott subwatershed, and designed, implemented, and prepared a report on the results of the Pilot Study.
- TAG input on the Pilot Study indicated a need to consider granitic areas separately from areas underlain by other geologies. This approach was developed and forms the basis for the proposed TMDL.

- Best efforts were made to separately describe and account for distinct land uses, such as forestry and mining.
- Significant additional explanation of methods and procedures was developed for the streamside features analysis.
- Many comments and suggestions received from TAG members on an early draft of the Scott River TMDL Action Plan and Staff Report were incorporated.

11.2 SCOPING MEETING

The purpose of the Scoping Meeting was to solicit public comments to help staff assess the potential environmental scope of the environmental analysis. Holding a scoping meeting is a requirement of the California Environmental Quality Act (CEQA). The Scoping Meeting was held on June 28, 2005, in Yreka, California. Many of the comments received at the CEQA Scoping meeting concerned technical aspects of the initial proposal rather than the scope of the environmental review. The comments received at the CEQA Scoping Meeting that concerned the scope of the environmental review are summarized in Chapter 9. These comments, and others, helped to shape the scope of the environmental review and specific aspects of the resulting proposal.

11.3 PRESENTATIONS TO THE REGIONAL WATER BOARD

Periodically, Regional Water Board staff presented updates and status reports to the Regional Water Board and interested members of the public on the Scott River TMDL and related efforts in the Klamath River Basin. Presentations were made on February 10, 2004 in Santa Rosa, on May 4, 2005 in Weaverville, and on August 10, 2005 in Santa Rosa. The presentations were opportunities for the public and Board members to hear status updates and background information. At each of these meeting, the public also had the opportunity to give comment before the Board. All such comments are part of the public record.

11.4 OTHER ACTIVITIES

On October 1, 2002, Regional Water Board staff presented the TMDL program and schedule for TMDL development to the Siskiyou County Board of Supervisors. Regional Board staff made a presentation to the Siskiyou County Board of Supervisors on October 12, 2005. Regional Water Board staff have maintained regular contact with County staff regarding the status of TMDL development throughout the process.

On October 3, 2002, Regional Water Board staff presented the TMDL program and schedule for the Scott River TMDLs to the Siskiyou Resource Conservation District Board in Etna.

On January 9, 2003, Regional Water Board staff made a presentation to the Statewide Coho Recovery Team convened by the California Department of Fish and Game. Regional Water Board staff also attended, as members of the public, a series of meetings of the Scott-Shasta

Recovery Team, a separate effort associated with the statewide Coho Recovery Team aimed specifically at developing elements of recovery plans for these watersheds. This coordination identified areas of overlap between the TMDL and Coho Recovery efforts, aligned Coho Recovery recommendations to minimize conflict with TMDL goals, and provided an opportunity for ongoing discussion with individuals and organizations also involved in the TMDL process.

Regional Water Board staff have given regular updates on the status of TMDL activities in the Klamath Basin to the Klamath Basin Fisheries Task Force and its subgroups. Presentations were made to the full Task Force on June 24, 2004, June 15, 2005, and October 19, 2005, and to the Task Force’s Technical Working Group on December 7, 2004.

The USEPA and the Regional Water Board have initiated an informal consultation process with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration, Fisheries (NOAA Fisheries) on Klamath River TMDLs. Regional Water Board and USEPA staff have used this process to provide information and updates on the TMDLs in the Klamath River Basin, namely the Salmon, Scott, Shasta, Lower Lost, and Klamath River TMDLs. In addition, both NOAA Fisheries and the USFWS have attended the Scott River TMDL Technical Advisory Group meetings.

The USEPA has held regular meetings with representatives of tribes in the Klamath River Basin watershed in California and the Regional Water Board to provide updates on the TMDL process, as part of USEPA’s tribal trust responsibilities. These meetings have been held approximately quarterly for the last several years.

In addition, there has been and continues to be informal contact with many individuals and organizations active in the Scott River watershed.

11.5 PUBLIC DRAFT

The Scott TMDL and Action Plan were released for public comment on September 20, 2005.

Public Comment Period September 20 to November 3, 2005

Public Informational WorkshopOctober 12, 2005
before the Regional Water Board in Santa Rosa, CA

Public Informational Workshop (Yreka)October 18, 2005

Public Informational Workshop (Arcata) October 19, 2005

11.6 FUTURE PUBLIC PARTICIPATION OPPORTUNITIES

Throughout the Basin Plan amendment process, there are opportunities for public participation and comment, including at the CEQA scoping meeting, at the Regional Board and associated workshops prior to the Regional Board hearing for the proposed TMDL Basin Plan amendment, at the Regional Board hearing to consider adoption of the TMDL Basin Plan amendment, before the State Board, and during public forum at any Regional Board meeting. The following opportunities and their estimated dates remain for public comment on the proposed Scott River TMDL Basin Plan amendment. Please note that the following dates may change.

Public Workshop and Hearing April 2006
before the State Water Resources Control Board in Sacramento, CA