

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Carrie Austin)
MEETING DATE: May 9, 2012

ITEM: 5A

SUBJECT: **Tomales Bay Mercury Total Maximum Daily Load** - Hearing to Consider Adoption of Tentative Resolution

DISCUSSION: The Revised Tentative Resolution (Appendix A) would adopt the total maximum daily load (TMDL) described in the final Staff Report (Appendix B) to address mercury contamination in Tomales Bay. This TMDL can be established via a resolution rather than a Basin Plan amendment, the normal adoption mechanism, because no new required actions are needed to implement the TMDL. The main source of mercury to Tomales Bay is from the Walker Creek Watershed, and actions already required to implement the previously Board-adopted Walker Creek Watershed mercury TMDL, including cleanup of the Gambonini mercury mine, will attain this TMDL.

Tomales Bay was placed on the State's list of impaired waters in 1996, due to concerns that drainage from the Gambonini mercury mine had contaminated wildlife and sport fish. The TMDL is based on numeric targets in fish to protect humans and wildlife that were calculated using the same procedures used in other mercury TMDLs adopted by the Board. The targets are met on a bay-wide basis, but the wildlife target is not met at the Walker Creek Delta, where mercury from the Gambonini mercury mine accumulated. However, the mine cleanup and other implementation actions required by the Walker Creek Watershed mercury TMDL are expected to decrease contamination in the Delta to levels that will attain the wildlife target.

We have prepared a response to comments (Appendix C) that we received from one entity (Appendix D). U.S. EPA commented in support of the efficient resolution process and existing implementation actions but requested clarification on several points. We also made some clarifications to the tentative resolution and staff report on our own initiative. U.S. EPA staff reviewed the revisions we made in response to their comments, found them satisfactory, and supports adoption of the TMDL.

RECOMMEN- Adopt the Revised Tentative Resolution.
DATION:

APPENDICES: A. Revised Tentative Resolution
B. Staff Report
C. Response to Comments
D. Comment Letter