

MEMORANDUM



Date: July 17, 2019
To: Water Quality Control Commission
From: Bear Creek Watershed Association

Re: Regulation 74 Triennial Review

The Bear Creek Watershed Association conducted a preliminary review of Bear Creek Control Regulation #74 for the August Triennial Review. The last time this regulation was amended by the Water Quality Control Commission was 2005. There have been several changes and issues in the watershed that have affected the regulation over the last 14 years. The Association has identified many housekeeping items and developed a list of 20 significant topics that require discussion with the relevant parties.

Although the Board doesn't believe it is timely to call for a rulemaking hearing (RMH) at this time, they do believe the RMH process will be necessary before the next triennial review of this regulation (2022). There are numerous items that need updating, correction or elimination and some substantial issues need to be addressed as part of a future rulemaking hearing.

The Association is working with Water Quality Control Division staff on a new total maximum daily load (TMDL) for the Bear Creek Watershed. This TMDL will affect current wasteload allocations, monitoring, management and implementation programs. The Association believes the TMDL will be completed soon and that relevant discussions can occur within the next year or so. The next RMH will incorporate relevant TMDL components into the control regulation, as well as update the regulation text and provide general housekeeping. The Division and the Association plan to work together on the proposal.